

why can't our children



BACK TO BASICS Why schools fail the literacy test A special report Part one, PAGES 14 and 15

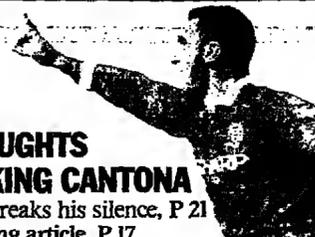


Complimentary books Token 3, PAGE 33

PLAY THE £50,000 GAME The top 250 team managers PAGES 26, 27



THOUGHTS OF KING CANTONA Eric breaks his silence, P 21 Leading article, P 17



Foreign Office thinks Moscow is playing election politics - not reviving Cold War

Russia orders Britons out in spying row

By RICHARD BEESTON IN MOSCOW AND MICHAEL BINYON, DIPLOMATIC EDITOR

RUSSIA and Britain were last night locked in the worst espionage row since the end of the Cold War after the Russians accused the British Embassy of running a spy ring and said that they would expel several diplomats.

Sergei Krylov, the Russian Deputy Foreign Minister, said that he had summoned Sir Andrew Wood, the British Ambassador, to protest at the activities of his staff after a Russian citizen was arrested making contact with British intelligence.

Malcolm Rifkind, the Foreign Secretary, said that there was not a shred of evidence that had been produced against British diplomats and there was no link with the arrest of the Russian charged with espionage.

Speaking just before a dinner in Birmingham for the foreign and defence ministers of the Western European Union, Mr Rifkind said that if the threat against the British Embassy staff was confirmed, he would not hesitate to take retaliatory action. He suggested that this could include tit-for-tat expulsions of Russian diplomatic staff.

British officials poured scorn on suggestions that up to 12 people might be involved but confirmed that at least four were being accused by the Russian intelligence officers.

The Foreign Office believes that the action is being driven by electoral politics in Moscow, especially by several of Mr Yeltsin's immediate entourage. Diplomats are now try-



Sir Andrew summoned to hear Russia's protest

ing to persuade Moscow to scale down its threatened purge, warning the Russians that this would severely disrupt the increasingly close political links between Britain and Russia.

The Foreign Office dismissed the spying allegations as "completely unjustified" and said that it was still waiting for a formal statement from the Russians.

The Russian Federal Security Service (FSB) was more direct. Its spokesman, Aleksandr Zdanovich, said: "Several British intelligence officers who worked under cover of the embassy have been announced persona non grata and will be expelled from Russia for activities incompatible with the status of a diplomat."

He added that the spy network had been uncovered after a Russian employee of a federal department was arrested "red-handed" by Rus-

sian counter-intelligence officers. "The arrested man had direct access to secret information and handed to British intelligence information of a political and strategic defence nature," he said.

The man was allegedly recruited in the mid-1990s and was paid for his services. He was charged under Article 94 of the Russian Criminal Code, dealing with treason against the motherland, which carries a maximum penalty of death.

The row is the most serious incident of its kind since 11 British diplomats and journalists were thrown out for spying in 1989, after London initiated a series of expulsions.

Britain has fought the longest and fiercest duel with Russia over espionage of any Western country.

The expulsion of 105 Soviet diplomats, journalists and trade representatives by the Heath government in 1971 remains the single biggest action taken against Moscow by a Western government. Sir Alec Douglas-Home, then Foreign Secretary, was accused by Labour of over-reaction. But Soviet defectors and Western intelligence sources said afterwards that his action dealt a crippling blow to one of the largest Soviet spy rings in the West.

The collapse of the Soviet Union in 1991 eased tensions, and although espionage incidents continued, the two sides were usually at pains to play down any rifts. Several of the Britons thrown out in 1989 have been readmitted, a virtu-



A Russian militiaman guards the British Embassy yesterday after allegations of a spy caught red-handed

al admission by Moscow that their expulsion was based on the need for retaliation.

In 1994, John Scarlett, a British diplomat in Moscow, was expelled. Last year Britain asked Aleksandr Malikov, a Russian television journalist to leave after four years in London. Earlier this year Nigel Shakespeare, a British businessman who had been expelled once before while serving as a military attaché in Moscow, was deported.

What makes the latest incident so extraordinary is the bitter Cold War rhetoric between the two governments. The timing of the announcement, ahead of Russia's presi-

dential elections, has led some observers to speculate that it may be politically motivated.

Certainly, General Mikhail Barsukov, the FSB chief, blamed for mishandling the Chechen hostage attack earlier this year, could certainly benefit from some favourable publicity.

Also, President Yeltsin, who needs to appeal to nationalist sentiment in his hard-fought re-election campaign, will benefit if his security services are seen exposing a foreign spy ring.

Although the Kremlin chief held friendly talks with John Major during the G7 summit in Moscow last month, rela-

tions between the leaders are less close than the Kremlin's ties with his American, German and French counterparts. One source well connected to both sides said that the Russians would not have fabricated the spying incident but may have timed the announcement for maximum political effect.

He added: "They had the choice of keeping it quiet or going public," he said. "By opting to publicise it they may have calculated that it would make Yeltsin look like he was standing up to the West."

Britons watched, page 10 Leading article, page 17

Inspectors get new powers to improve reading

By DAVID CHARTER EDUCATION CORRESPONDENT

JOHN MAJOR has ordered tough new powers to help school inspectors to raise standards in the three Rs after a damning report on children's literacy in the inner city.

The Prime Minister was said to be alarmed that the report from Ofsted, the school inspection agency, to be published today, showed that four out of five seven-year-olds were reading below the average for their age.

Writing in *The Times* today, Chris Woodhead, the Chief Inspector of Schools, attacks a "depressing" resistance to inspection findings from local education authorities.

He said their response to inspectors' own tests on pupils, showing the children

Why can't our children read? Pages 14 and 15

were below the level at which their teachers assessed them, was to "pretend inspection methodology was flawed, that we distort the data".

Gillian Shephard, the Education and Employment Secretary, will today unveil the extra inspection measures, expected to include the power for inspectors to test pupils rather than rely on data from schools. However, this would call into question the reliability of national results for English, particularly for seven-year-olds, whose reading is assessed from set books by teachers.

Mrs Shephard was reported to be "appalled" that the London boroughs of Islington, Southwark and Tower Hamlets had accused Mr Woodhead of political bias over the

Continued on page 2, col 4 Chris Woodhead, page 2 Leading article, page 17

Body of former CIA chief found

The body of William Colby, the former director of the CIA, who masterminded covert operations in Vietnam, was discovered on a Maryland riverbank yesterday more than a week after he vanished on a canoeing expedition. Police, who discovered his partially submerged body a few hundred yards from his capsized canoe, said there was no evidence of any crime. *Obituary, page 19*

Gibraltar threat

Spain's new Foreign Minister has given a warning of a tough new line on Gibraltar, and said that he did not rule out a return to a closed border. Abel Matutes promised to put pressure on the colony if measures to deal with smuggling did not yield swift results. *Page 11*

Brown takes firm line with Labour opponents over child benefit row

By PHILIP WEBSTER, POLITICAL EDITOR

GORDON BROWN gave a warning to Labour critics yesterday that he was standing by his plans to scrap child benefit for older children and told them they could not avoid "tough choices".

But after signs of serious internal divisions on the issue, the Shadow Chancellor made plain that a Labour government could use much of the £700 million a year saving to bring in a new system of school grants designed to help the children of poorer parents stay on beyond the age of 16.

Under the proposals, there would be a national system of educational maintenance allowances through which the

parents of poorer children would be helped with the food and clothing costs of children who stay on. That could also prove controversial because it would inevitably involve means-testing but sources close to Mr Brown say that was an issue that would have to be faced.

Mr Brown described the idea as an "upgrading" of child benefit. But while it is clear that child benefit will remain universal for children up to 16, Mr Brown wants the money used for older children to be aimed at poorer families.

Mr Brown acted after fresh signs of heavyweight opposition to the proposal. In an

interview yesterday Robin Cook, Shadow Foreign Secretary and Labour's chief policy co-ordinator, said the proposal was not "carved in stone" and was the subject of a review.

But in an interview with the *World at One* on BBC Radio 4, Mr Brown told his opponents, who include Labour MPs who feared the plan might deter children from lower and middle income families from staying on at school, that "the status quo is not an option."

The Shadow Chancellor was forced to intervene after a spate of weekend reports suggesting that he was at odds with many of his Shadow

Cabinet colleagues over his proposal floated two weeks ago to end child benefit for 1.1 million children aged over 16 in full-time education.

Mr Brown has been subjected to strong internal criticism for lack of consultation over the plan, although it is known that Tony Blair was aware of it and endorsed it.

However, Chris Smith, the Shadow Social Security Secretary, who has been conducting a review of the future of child benefit, was taken by surprise when Mr Brown announced it in the John Smith memorial

Continued on page 2, col 3

Welfare plans, page 2

Boys crash truck into bungalow

A FAMILY of five were forced to leave their ruined home after teenagers sent a 30-tonne dumper truck crashing into it.

Police had chased the huge vehicle for more than a mile before the boys jumped out, leaving the 15ft-high truck to career down a steep hill at Pontllytyn, Gwent. Nick Lewis, 28, whose family was out at the time, jumped through a bedroom window as the truck uprooted a tree and demolished a conservatory before slamming into his bungalow.

He and his wife Amanda, 26, and children Christopher, four, Gillian, two, and Charlotte, three months, were advised to move out.

Two 14-year-old boys were arrested and released on bail.

Search for girls who fled boarding school

By ALEXANDRA WILLIAMS AND CAROL MIDGLEY

POLICE were last night searching for two teenage girls who have not been seen since they ran away from their £5,000-a-year boarding school a week ago.

Kirsty Ann Boyd and Aileen McGhie, both 15, sneaked out of their dormitories in the early hours and were reportedly later seen drinking tea at a nearby peace camp. The girls met only seven days before they disappeared last Tuesday, but their teachers said they struck up an instant

friendship. Concern for their safety is growing as it is believed they have no more than £5 in cash between them. Angus MacDonald, the headmaster of Lomond School, Helensburgh, near Dumbarton, appealed for the girls to make contact. He said he was in constant touch with the girls' parents and added: "They are worried silly."

The girls' housemaster, Stephen Kilday, added: "We are completely shocked. They are both very pleasant girls. We



Kirsty, left, Aileen right became instant friends

have no clues." Aileen arrived at the mixed school two weeks ago having moved from the United States. Kirsty Ann's parents are based in Germany where her father is a British

Army officer and she has been a pupil at Lomond since the age of 11.

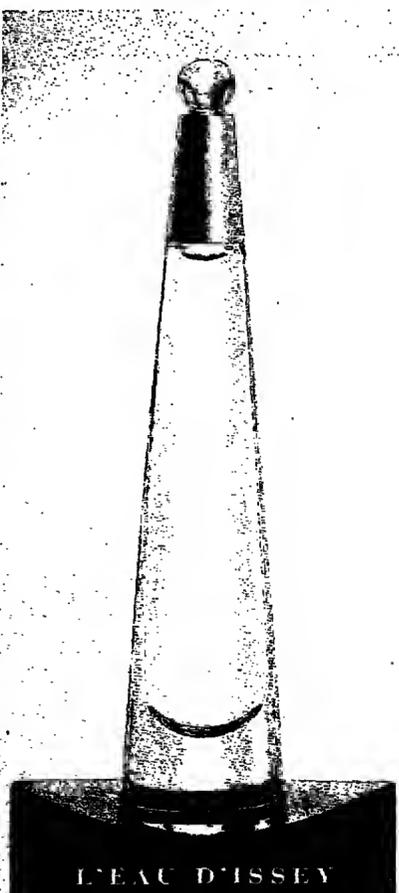
Aileen's mother flew in from America earlier this week to help search for her daughter. Mr and Mrs Boyd are expected to arrive from Germany for a news conference today.

Inspector Brian Lennox, of Strathclyde police, said there had been a number of possible sightings - in Greenock, Stirling and on the island of Arran. At lunchtime on the day of their disappearance, the girls were reportedly seen drinking tea at the near-

by Faslane Peace Camp. The camp does not take in run-aways, he said.

A taxi driver said that he believes he gave them a lift on Saturday night and another unconfirmed sighting had the girls catching a flight to Benidorm.

Kirsty Ann is 5ft 4in, with brown hair, which is red at the front, and was wearing jeans and a jacket. Aileen, dressed in baggy denim dungarees, a black and white jumper and black corduroy jacket, is 5ft 3in, with blue eyes and long blonde hair.



TV & RADIO 38, 39 WEATHER 20 CROSSWORDS 20, 40 LETTERS 17 OBITUARIES 19 LIBBY PURVES 16 ARTS 12, 13 CHESS & BRIDGE 22 COURT & SOCIAL 18 SPORT 21-28 FEATURES 14, 15 LAW, LAW REPORT 29-33

We must break conspiracy of silence on failing schools

Our report on *The Teaching of Reading in 45 London Primary Schools* is the most important document that Ofsted has produced.

It shows that far too many inner-city children are failing to make adequate progress in reading and that many are leaving primary school unable to cope with the demand of the secondary school curriculum. The explanation for this unacceptable state of affairs lies in the fact that much teaching is "mediocre and weak".

The report deserves to be studied with the utmost care by all involved in education. Its messages are too important to be ignored. The reaction thus far has, however, been defensive and obfusatory. In the hope, presumably, that the

substantive issues will be ignored, strenuous efforts have been made to criticise the conduct of the inspection.

One criticism is that the first draft of the report bears little resemblance to the final printed version. This is true in the sense that the conclusions are now presented as clearly and dramatically as they deserve to be. For example: "The quality of teaching was unsatisfactory or poor in nearly half of the 166 lessons [observed] in Year 6." This is a bleak, depressing fact and I make no apology for presenting it starkly. But if the accusation is that the substance of the data has been manipulated, then I reject the charge absolutely. There is no question of Ofsted doctoring the evidence.

Why, though, would we

want to manipulate the data? The answer to this, according to Phil Kelly, Islington's education chairman, is that I am seeking "to pander to the prejudices of my political masters".

If by "prejudices" he means the common concern that children are not learning to read, then I plead guilty to drawing this disturbing situation to the attention of politicians of all parties and every parent across the land. My job as HM Chief Inspector is to report as clearly and as accurately as I can on the strengths and weaknesses of our schools. I will continue to do just that, whatever the criticisms that come my way.

The reaction, though, of educational leaders such as Mr Kelly is profoundly dis-

Chris Woodhead, Chief Inspector of Schools, insists that Ofsted's indictment of primary reading standards must be honestly addressed



turbing. In that it is hard to take responsibility for what has gone wrong, the psychology of his reaction is understandable. It is nevertheless indefensible. On Islington's own figures, eight out of ten 11-year-olds in the borough's schools have a reading age below their chronological age. Our study confirms these findings.

There are too many within the world of education who want to avoid the substance of what Ofsted is saying. They

pretend that the inspection methodology is flawed, that we distort the data, that whatever the problems all would be well if the Government provided more money for the nation's schools, that even if what we say is true we should not be saying it because it undermines teachers' morale; anything and everything but an honest recognition that there are problems in schools which, in the interests of the individual child and our future prosperity as a country,

need solutions. How can solutions be found until the problems are brought out in the open and acknowledged? It is the acknowledgement which is now the difficulty.

For years a conspiracy of silence has prevented any public discussion of how the education system fails too many young people. Now, systematic school inspection coupled with the publication of test and examination data is revealing, school by school and across the service as a whole, the weaknesses that have to be tackled if England is to have any chance of prosperity in what will be an ever more competitive 21st century.

The problem is that this analysis is rejected by those who wish to pretend that all is

well. It was reported, following their annual conference, that the Secondary Heads' Association is to set up a "counter-propaganda" unit to persuade the public of the successes of state education.

I am 100 per cent behind the celebration of success. That is why I print a list of outstanding schools at the front of my annual report of English education. That is why I have stated repeatedly on radio and television that there are three times as many outstanding as very poor teachers.

The general secretary of the Secondary Heads' Association believes, however, that state education is being undermined by a stream of propaganda "of which Dr Goebbels would have been proud". This beggars belief. I do not for one

moment deny that there are excellent schools. I accept absolutely that everything must be done to bolster teacher morale but I do not think that this is best achieved by putting one's head in the sand.

If Ofsted were to pretend that all is well in schools across the country, we would patronise those many outstanding teachers who are giving their children a first-rate education and abrogate our responsibility to the parents that schools are there to serve.

We shall continue to do our best to report honestly on standards in the belief that, albeit slowly, we may be moving to a time when those who speak for the teaching profession are less defensive than, sadly, they presently are.

Labour to stress role of self-help in welfare state

By Jill Sherman, Chief Political Correspondent

LABOUR will today herald plans for sweeping changes to the welfare state including an overhaul of state pensions and radical measures to help single mothers into work.

In a departure from traditional Labour strategy, Chris Smith, the Shadow Social Security Secretary, will argue for "individual responsibility" to be matched with "community responsibility"; for people to be encouraged to make provision for themselves where possible, with help for those in difficulty.

In his speech at Church House, Westminster, Mr Smith is expected to avoid the internal Labour controversy over the future of child benefit for children aged over 16. But he will confirm, as Gordon Brown, the Shadow Chancellor, hinted yesterday, that the benefit is being reviewed and that this includes the possibility of it being replaced for older teenagers by educational maintenance grants for the children of poorer families.

Mr Smith, who has conducted a comprehensive review of the welfare system, expects that the changes will not entail additional spending, and that savings will be achieved in the longer term.

Over the next six weeks he will publish documents detailing the main policy changes, focusing on "welfare-to-work", pensions and child support.

One of the more radical ideas is a programme to help single mothers to find and stay in work. Mr Smith has adapted a scheme operating in Australia, where mothers are given guidance and training on how to gain qualifications

and re-enter the job market. They are also given state help with childcare.

Under proposals that Mr Smith is considering, the Benefits Agency would produce similar training, employment and childcare plans for lone parents. Labour would also change benefit rules that discourage lone parents from earning more than £15 a week.

In an interview with *The Times*, Mr Smith admitted that a Labour government would not be able to offer the same guarantee of childcare as the Australian system in the first stages, but added that efforts would be made to help lone parents to take up places where possible. There are 1.5 million lone parents in Britain; only one-third support themselves. This constitutes a huge burden on the social security budget.

Mr Smith said there would be no compulsion to enter the scheme. However, other party



Smith: puts emphasis on responsibility

sources have suggested that those who refused to take up job offers would face penalties.

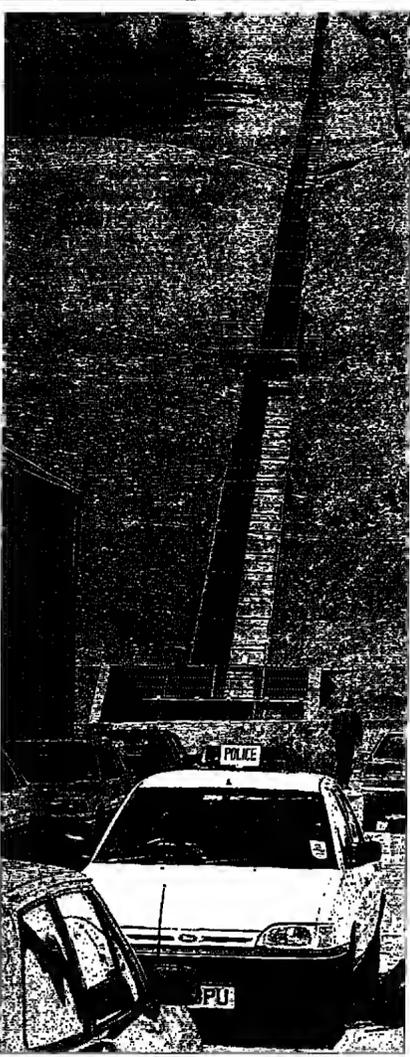
The scheme will initially be funded by the £3 billion windfall tax that Labour intends to impose on privatised utilities. The tax will also be used to fund the scheme outlined by Mr Brown last year to get the under-25s into work.

Mr Smith also made clear that Labour intends to reduce the proportion of means-tested benefits, which, he said, has increased since the Conservatives came to power in 1979.

But Mr Smith, a key moderniser in the Shadow Cabinet, will disappoint Labour leftwingers hoping for a substantial rise in benefits for poorer pensioners or children. It is understood that he has ruled out a guaranteed minimum pension for poorer pensioners, something advocated in the report by the Social Justice Commission set up by the late John Smith and backed by Donald Dewar when he was Shadow Social Security Secretary.

Mr Smith will make clear that pensioners will in future have to supplement their basic state pension with a second pension, based on a compulsory contribution that could be topped up with voluntary contributions. Under the pension plan, insurance companies would be invited to work with trades unions and employers on an alternative to occupational pensions.

Mr Smith is expected to underline the need for hard choices to achieve a more effective welfare system while not adding to the £90 billion social security bill.



The 350ft culvert where the two boys crashed

Boy's head jammed in wall after sled crash

By A Staff Reporter

TWO schoolboys were critically injured yesterday after hurtling down a 350ft culvert on a makeshift toboggan. One of them had his head jammed in a narrow gap in a concrete wall at the bottom and may have lost a ear.

Michael Beasley, 10, and Dafydd Williams, 11, lost control of an old door they were riding at up to 20mph in a dry drainage culvert near the former Marine Colliery in Cwm, Gwent. Gwent police said a heavy metal grille that should have barred the entrance to the culvert had been vandalised.

Neighbours told how the boys' shouts of joy turned to screams. Catherine Gwynne, 21, said: "The scene was just awful. They were both obviously very badly hurt. The ambulances took the one boy away but they had a lot of trouble freeing the trapped lad's head. I held his hand until the rescuers arrived—he was conscious and I kept telling him to squeeze hard on my hand."

Aubrey Price, 64, said: "They must have built up a very fast speed on the door and then lost control. One of the boys had his head jammed in the gap. He must have hit it with some force to get it in there—he was covered in blood. Catherine was holding his hand trying to comfort him while the ambulance arrived but he was in a lot of pain. When the rescuers arrived they had to dig a hole around his head so they could lift him free."

A spokeswoman for Dafydd's family said: "We are all very upset. We've heard Michael is breathing on his own but Dafydd's condition is tough and go."

Loyalist bomb hoax shuts Dublin Airport

Fears that loyalist terrorists are planning to end their ceasefire were heightened yesterday when hardline members of the Ulster Volunteer Force claimed they had planted bombs at Dublin Airport.

The Irish Army carried out a controlled explosion on a suspect car at the airport early yesterday after a bomb warning was phoned to a Belfast newspaper. The Irish Army said that no explosives were found in the car. Police closed off the airport at 10.20pm on Sunday night after a caller from the Mid Ulster brigade of the UVF claimed that two 10lb bombs had been placed on the runway and a third device was in the car. Bomb disposal experts carried out a controlled explosion just before 1.30am. Loyalist politicians later said that the warning had not been sanctioned by the Loyalist Military Command, the umbrella organisation for the three main Protestant terrorist groups.

No joy for Rushdie

The new leader of the self-styled British Muslim Parliament reaffirmed its support for the fatwa on Salman Rushdie. Dr Muhammad Ghayyuddin, 57, said there would be "no joy" for the writer, whose book *The Satanic Verses* has been condemned by Muslims as blasphemous. Dr Ghayyuddin's stance echoes the hard line taken by his predecessor, Dr Kalim Siddiqui, who died on April 18.

Milk van crushes girl

Laura Hawkins, 5, died when she was crushed by a milk delivery van as she played in the street outside her home near Morpeth, Northumberland. Carl Belisle, the milkman, was serving customers at the back of the flatbed vehicle and did not see the girl as he drove off. Her mother, Karen Connors, a nurse, tried to revive her but she was pronounced dead on arrival at hospital on Sunday evening.

Prince's plea on poverty

The Prince of Wales called on governments and individuals to live up to their common responsibility to tackle world poverty in all its forms. He emphasised the need for a more broad-based approach. "The causes of poverty... are not just a matter of economics, and they cannot be solved just by the generosity of more privileged societies," he wrote in the annual report of the development charity Actaid.

Burton 'fell from bike'

Police believe that Beryl Burton, 59, the international cyclist who died while riding near her home in Harrogate on Sunday, was taken ill and fell from her bicycle. There was no damage to her machine and a witness has said she appeared to fall without reason. Burton, of the Morley Cycling Club, was the unbeaten champion of Britain for 25 years and still held a number of national time-trial records.

Brown firm

Continued from page 1

lecture in Edinburgh. The review is also being conducted by Mr Brown and David Blunkett, the Shadow Education Secretary. Mr Smith said: "There is a potential option which the review will doubtless consider of transforming child benefit into an education maintenance allowance and trying to direct particular help through that means to families on low incomes."

It is understood that both Mr Smith and Mr Blunkett felt that Mr Brown had not given enough emphasis to the intention to use the money saved from scrapping the benefit to help poorer children.

But Mr Brown was in an uncompromising mood yesterday. He said: "You don't set up a review unless you believe there is something wrong that needs to be sorted out. The status quo is certainly not an option when you look at the crisis that is facing young people. If we don't tackle these problems then we will be failing not just the generation of young people but piling up problems that will haunt us for many years to come."

Educational maintenance allowances are currently paid on a discretionary basis to the parents of children who go on to further education. But the sums vary widely depending on the area in which people live. The idea of expanding it to cover children still at school is in line with Labour thinking on increasing educational opportunities across the board.

While Mr Brown emphasised that no conclusions had been made, the implication of his remarks was that there will be no retreat. Mr Cook, however, laid emphasis on the fact that no decisions had been taken.

Peter Lilley, the Social Security Secretary, claimed that Labour's plans for welfare reform were in disarray.

Education

Continued from page 1

report. She felt that the report was an "absolutely dreadful" indictment of teachers' ability to teach reading.

Mr Woodhead accuses the boroughs of being "defensive and obfusatory".

He rejects their claim that he put a negative slant on the inspectors' findings and criticises Phil Kelly, chairman of education in Islington, for trying to avoid Ofsted's criticisms.

Mr Kelly claimed the aims of the inspection had been hijacked by "political priorities". Mr Woodhead found Mr Kelly's reaction "profoundly disturbing".

Mrs Shephard is also likely to strengthen the inspectors' arm in assessing teacher training and local education authorities in problem areas. This would help a planned Ofsted campaign on numeracy in inner city areas.

Today's report, based on inspections of 45 primary schools in the three boroughs, is expected to say that teaching quality was less than satisfactory in one in three lessons, head teachers showed insufficient leadership in one in three schools, and teachers were held back by a lack of knowledge about how to teach children to read.

While the time devoted to teaching children reading was generous, it was not always used to good effect. Children were not given a good enough start in literacy through the use of phonics, the learning of the basic sounds of language.

The poor showing of 11-year-olds in national English tests last summer has prompted Mrs Shephard to bring forward the publication of primary school league tables in an attempt to raise standards.

Leading article, page 15

Tory rebels threaten to turn beef debate into anti-Europe stampede

By Andrew Pierce, Political Correspondent

JOHN MAJOR was facing a fresh threat to his tightback plans last night as Euro-rebels prepared to use a Commons debate on the common agricultural policy (CAP) to attack the Government's handling of the BSE crisis.

Malcolm Rifkind, the Foreign Secretary, today warns the rebels to step back into line. "Some high-minded Tories tell us grandly that they are prepared to put country before party and will attack the Government if its policy on the EU does not meet all their aspirations," he says in an article in *The Times*.

"I see nothing for them to be proud of. The effect of their hostility would undermine the present Government and

could allow in Labour." Mr Rifkind adds: "The Tory party must become again a disciplined, highly efficient fighting machine. We are not, and never have been, a debating society."

Government business managers, aware of the risks of the CAP debate, are believed to be planning to turn any vote into one on a technical motion to try to minimise the risks of a defeat only days after the Prime Minister led the pleas for unity.

But MPs on the Left and Right of the party served notice last night that they would not be silenced and stepped up their demands for retaliatory action against Europe. Douglas Hogg, the Agriculture Minister, will bear the brunt of the anger when he presents a report on

the CAP that will set out the level of subsidies paid to European Union farmers.

Tory rebels have selected the debate because a vote would not be a confidence issue for the Government.

David Nicholson, MP for Taunton and secretary of the Tory backbench agriculture committee, said: "My electors feel strongly that we have been badly let down by Europe. There is great anger out there. I will have to consider my position very carefully. My vote cannot be taken for granted."

John Townend, chairman of the right-wing 92 Group of Tory MPs, said: "I will be taking soundings from colleagues about the vote. It is not in anyone's interests to have guerrilla warfare which could cost the Government the elec-

tion. But it is not only Euro-sceptics who are demanding tough action on beef."

Mr Townend proposes sanctions against the EU. "We should ban their beef. If that fails, exclude their livestock. The third would be to stop their money."

Paddy Ashdown, the leader of the Liberal Democrats, accused the Euro-sceptics of misrepresenting the BSE crisis to reopen the question of Britain's membership of the EU. "This has been brought about by catastrophically weak leadership at the top. The Government has totally mishandled this whole BSE thing from start to finish," he told BBC Radio's *Today*.

Malcolm Rifkind and Woodrow Wyatt, page 16
Letters, page 17

Trade seeks to end slaughter deadlock

By Michael Hornsby

SLAUGHTERHOUSE operators and livestock auctioneers are to meet Tony Baldry, the Junior Agriculture Minister, today to try to break the deadlock over the slaughter and disposal of cattle over 30 months old.

Government ministers are also to hold talks later in the week with veterinary surgeons over their refusal to help to identify cattle under this age unless they

are paid to carry out proper checks on the animals. Bob Stevenson, president of the British Veterinary Association, said yesterday that government "penny-pinching" was threatening to undermine assurances that only animals under 30 months old, which scientists regard as the least likely to be infected with "mad cow" disease, were being killed for food.

"We are being asked to sign, effectively to rubber-stamp, evidence produced by farmers without having a chance to see

the animals," he said. "Farm records are notoriously unreliable."

The vets' protest comes amid continuing disagreements between the Ministry of Agriculture, farmers, abattoir owners and livestock auctioneers which are delaying the slaughter and disposal of tens of thousands of over-age cattle. Mr Baldry will meet abattoir owners and auctioneers today to answer complaints that there has been inadequate guidance from the Government.

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Condon asks court to set limits on damages payouts

By Stewart Tindler
CRIME CORRESPONDENT

THE Court of Appeal is to be asked to set guidelines for juries on the level of damages awarded against the police after recent cases against Scotland Yard reached six figures.

Sir Paul Condon, the Metropolitan Police Commissioner, wants judges to lay down guidance for juries on the size of damages in civil cases against the police in the same way as they have for libel payments against newspapers. "Awards in libel cases went stratospheric and out of control," he told *The Times*. "We are seeing similar developments around cases against the police."

Sir Paul claimed that juries were being influenced by previous cases in which big cash sums had been awarded and left them to make a similar award.

In 1995 Scotland Yard paid out £1.5 million in damages compared with £393,000 in 1986. Awards and costs for civil actions have cost the Metropolitan Police £20 million in the past ten years.

Lawyers for the Metropolitan Police have been ordered to challenge four recent cases including the record £302,000 award to Daniel Goswell and the earlier record of £220,000 to Kenneth Hsu, of Tulsa Hill, south London. Mr Goswell, 29, from Woolwich, southeast



Goswell was awarded record sum last month

London, received his payment after he was hit over the head with a truncheon and needed five stitches to a wound. He had been sitting in his car waiting for his girlfriend when police handcuffed him. Mr Goswell was acquitted on two charges of assaulting the police but found guilty of threatening behaviour.

Mr Hsu, 32, a hairdresser, received his award after the jury decided that he had been assaulted by police and wrongfully arrested, suffering extensive bruising to his back and kidneys.

Andrew Kownacki, a trainee manager at a west London public house, was awarded £108,750 last week. He had been falsely accused of drugs offences. Terence Winyard, 21, was awarded £64,000, including £50,000 exemplary dam-

ages, in March for assault, wrongful arrest, false imprisonment and malicious prosecution. None of the officers in the case has been disciplined, and one has been promoted to superintendent.

The Commissioner hopes that, on appeal, judges will cut the damages in all four cases. However, he is not seeking to end the practice of juries hearing civil cases against the police and to reduce the availability of legal aid to complainants.

Sir Paul said: "Juries think that because this [Scotland Yard] is a big organisation it does not matter. They think of daft figures. I suspect cases are feeding off each other." The Commissioner also said that lawyers had switched their focus from pursuing complaints against the police to civil litigation in which their clients received legal aid.

"What we have had is cases five, or six or seven years old, some of which had very little significance at the time. There were no complaints against police, no action." He added: "These are old cases, exploiting the different burden of proof between civil and criminal cases. They have been speculatively given a run on legal aid. In some cases the police have been seen as a soft touch."

Letters, page 17



A young visitor getting a closer look at the air display, which included the Spitfire's great rival, the Messerschmitt. Up to 35,000 attended the show

Spirit of the Spitfire defeats jams

By John Shaw

THE Second World War flying ace "Johnnie" Johnson fought his way through traffic jams yesterday to join a tribute to the Spitfire. He jumped from the car carrying him and tramped along the roadside for 1½ miles to start the flying at the Spitfire diamond jubilee airshow.

Air Vice-Marshal Johnson, 80, the top-scoring Allied fighter pilot of the Second World War, was caught in the jams that clogged all roads to the Imperial War Museum at Duxford, Cambridgeshire.

Cambridgeshire police put up signs saying the airfield was full and tried to turn spectators away, but they pulled in and enjoyed roadside picnics while watching the flying through binoculars.

Air Vice-Marshal Johnson said the response to the sixtieth anniversary of the Spitfire's first flight showed that it had achieved "a kind of immortality with the public as the aircraft that helped people to gain their freedom". Org-



Air Vice-Marshal "Johnnie" Johnson and the final flypast by nine Spitfires



anisers estimated the crowd at 30,000 to 35,000.

The classic fighter entered RAF service with 19 Squadron at Duxford in August 1938. A total of 25 Spitfires from Mark I to Mark XXIV were on show yesterday. There are thought to be about 47 left in the world. The highlight was a formation of 16 Spitfires and the proceedings were concluded with a flypast by nine to *Land of Hope and Glory*.

The sight and sound of the planes brought back memo-

ries for many of the grey-haired men watching from the VIP enclosure. Wing Commander Tim Vigors, of Newmarket, Suffolk, recalled taking off from the grassy strip at Duxford in 1940. "I flew 123 different types of aircraft during my career, including Concorde, and I always rated the Spit the top of the lot. It was something special. Everybody felt the same way in my squadron."

"There were 29 of us who came down from Kirton in Lindsey, near Lincoln, for the Battle of Britain and, apart from a few who were transferred, I was the only one left by the time it finished." Among those watching the aerobatics by Spitfires and other veterans, including the Messerschmitt, was Dr Gordon Mitchell, 75, son of Reginald Mitchell, the Spitfire's designer. He said: "My father thought the Spitfire was OK but I don't think he appreciated what it would go on to become."

Leave relic, say wartime comrades

THE remains of a Spitfire flown by Sir Douglas Bader should be left where it fell, Air Vice-Marshal James "Johnnie" Johnson said yesterday.

The former pilot, who was in the battle that ended Bader's war, said: "Leave the thing alone. It will only be bits, like something out of a second-hand shop. Better to leave it alone." Wing Commander Tim Vigors, another Spitfire veteran, backed him, saying: "Leave it alone."

Bader's plane was excavated from in a field near St Omer, France, at the weekend by a group led by Dilip Sarkar, 34, a West Mercia policeman. He wants the engine to be cleaned and displayed at Tangmere, West Sussex, Bader's final base. Air Vice-Marshal Johnson says that if it must be displayed it should be in the RAF Museum in Hendon or at the Imperial War Museum at Duxford, Cambridgeshire.

Prisons chief wants inmates to do adventure training

By Richard Ford, Home Correspondent

THE new Chief Inspector of Prisons today urges the Home Secretary to ease restrictions on temporary release from jails to enable prisoners to go on adventure training courses.

Sir David Ramsbotham, a former Adjutant General of the Army, calls on Michael Howard to allow prison governors greater flexibility in allowing inmates to take part in challenging experiences.

His support for prisoners being given the opportunity to join adventurous expeditions in Britain threaten to cause further tension in his relationship with Mr Howard.

But Sir David, 61, is a strong believer in allowing prisoners, and especially offenders aged 17 to 21, the chance to test themselves in trying conditions in areas such as Snowdonia and the Cairngorms. He said that allowing inmates to take part in adventure training had been hap-

pening before Mr Howard introduced restrictions on home leave and temporary release in April last year.

"We already know enough about challenging behaviour by adventure training. I believe it would be helpful if he did restore the right of the governors to allow some of that [temporary release] to be reinstated, with the governor taking the risk."

Sir David said he knew the value of outdoor adventure training from his years in the Army. Prisoners would be challenged and made to ask questions of themselves.

Sir David, who has visited about 30 of the 135 jails in England and Wales since becoming chief inspector in November, said much more needed to be done in young offender institutions to prevent youngsters becoming lifetime criminals. "This is a critical time in their lives. If we

don't do something then and there they are going to be customers of the Prison Service for the rest of their lives."

Sir David's call for an easing on temporary release is unlikely to be welcomed at the Home Office, which brought in restrictions after a series of incidents in which prisoners committed further offences while on leave or absconded.

His support for more prisoners to be allowed to go on adventure training schemes is also unlikely to be received favourably. Ministers have been critical of prisoners and other offenders doing such activities, which some members of the public see as rewarding criminal behaviour.

A Prison Service spokesman said last night: "There should be good grounds for release. Adventure activities are possible in areas where the granting of temporary licences have been tightened."

Seaside resorts hotly dispute chilly forecasts

By a Staff Reporter

UNEXPECTED sunshine brought out Bank Holiday crowds — and brickbats for the forecasters. Resorts said that the mainly dry and sunny weekend would have been even busier if many people had not stayed at home after predictions of chilly and cloudy conditions.

Weather centres admitted that the holiday was brighter than expected but said that temperatures were far from summery. In Oxfordshire and the Midlands, overnight temperatures

dropped to -3C (27F) and other areas reported frost.

Heavy traffic was reported around Torquay, Brighton, the Peak District and the East Anglian coast. In Essex, Terry McKean, head of Clacton-on-Sea Hotel, Guest House and Restaurant Association, said that several sporting events in the town had made up for people put off by predictions of cold and showery weather.

Margaret Horler, president of the Hotels Association in Weston-super-Mare, Somerset, joined in the criticism

of forecasters: "At the beginning of last week they were predicting all doom and gloom, yet people have been sitting out on their balconies in the sun since before 7.45 this morning."

A spokesman for the London Weather Centre said that temperatures had been about 14C (57F) in the South West and 10C (50F) in the North. This time last year, he said, the country celebrated VE-Day in a sweltering 26C (79F). Forecasts had not been too far out. "It has perhaps been brighter than we expected. There's been less cloud

and the wind hasn't picked up as much as we thought it might. We're not overly unhappy with what we were predicting."

Gatwick said that 245,380 passengers passed through between Friday and Monday, a 10 per cent increase on last year. Popular destinations included Dublin, Jersey, Malaga and Orlando. Heathrow also reported traffic up on last year, with an estimated 560,000 passengers over the four-day break.

Forecast, page 20

Campbell's soupçon of excitement for fashionable palate

By Joe Joseph

NAOMI CAMPBELL has made something of a specialty of tardiness. But when she turns up 40 minutes late to launch her own restaurant, potential diners naturally take it as a bad omen and start wondering how long they will be kept waiting, chez Naomi, before even their antipasto reaches their table.

Capitalising on the traditional lack of rival news attractions on a Bank Holiday, beyond weather and traffic-jam reports, Miss Campbell's advisers chose yesterday for a ground-breaking ceremony to herald London's Fashion Café.

The pneumatic drill — with Fashion Café logo — was there at the agreed hour. A wall of fake breeze blocks, through which Miss Campbell would emerge into the waiting crowds of Leicester Square, was in place. Miss Campbell, though, was absent. "She's not ready yet," a spokesman said, appalled at the impatience of the 30 bored photographers and camera crews.

The police, who seemed to feel they should be chasing criminals rather than marshalling crowds for an unpunctual model, were also growing testy as passers-by asked who the crowd was waiting for. Eventually one constable snapped: "It's Harry Secombe. It's a Bank Holiday Songs *O'Fraise* special."

When she finally appeared, in jeans and a navel-baring white T-shirt, Miss Campbell squeaked: "We expect to be open in mid-summer when we look forward to seeing you

then." Then she pointed her hips at the cameras and left.

Miss Campbell, with her fellow catwalk queens Elle Macpherson, Claudia Schiffer and Christy Turlington, opened the first Fashion Café in New York. A branch in New Orleans followed.

A British restaurant critic who ate at the New York venue — under the gaze of such fashion props as Madonna's gold bustier — said the sauce that bathed his Fashion Crab Cakes reminded him "of a bad moment in the summer when I greedily swigged from a bottle of very old milk".

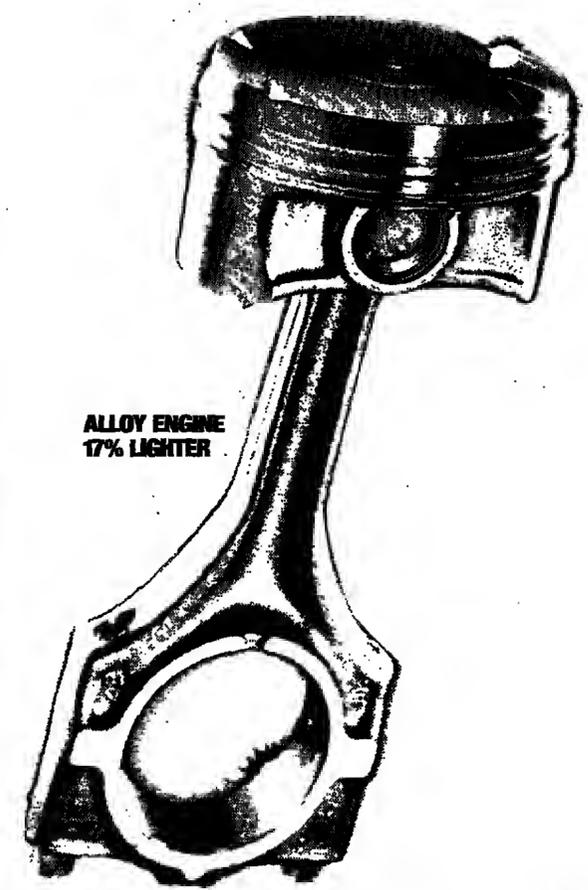


Campbell gets to work on her new venture



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Families fight closure of 'cannibal larder' school

By LIN JENKINS

PARENTS descended on an independent school yesterday to confront the chairman of the governors after receiving letters telling them it was closing after 146 years.

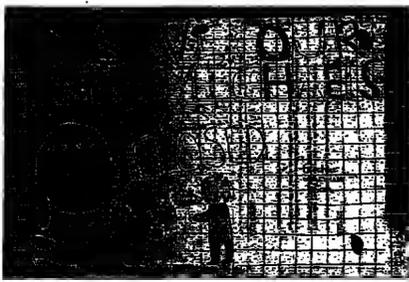
St Michael's School in Limpsfield, Surrey, which has 153 pupils — 69 of them boarders — and 40 teachers will be sold after the term ends, governors decided. They took the decision on March 20 after finding they would have 60 fewer pupils than needed to be financially viable next year, but kept the news from parents.

Beth Boateng, the daughter of Labour's legal affairs spokesman, is in the upper school. Former pupils include Annela Rice, the television presenter.

Many parents were particularly upset as the school, which has a handful of boys, is rare in the private sector in catering for children with special needs alongside those who are academically gifted.

Fees are up to £10,000 a year for boarders and up to £6,000 for day pupils.

The Church Missionary Society founded the school in



A pupil's poster protesting at the school's closure

1850 and before the Second World War it was known as the "cannibal larder" for producing so many missionaries. Estate agents are due to start drawing up particulars for sale on Thursday of the Victorian Gothic building set in 23 acres of prime green belt.

The school faced financial difficulties after Brian Long, a former head, was convicted in 1991 of stealing £13,000 from the chapel organ fund to pay the deposit on his home. The financial position improved

under the headship of Margaret Hustler, who is moving to Harrogate Ladies' College in September. One parent, Robin Masfield, a civil servant, said that when Dr Hustler announced she was leaving the governors "classically failed to maintain the momentum and reassure parents", leading to some pupils leaving.

Parents say that with proper marketing they could cover the shortfall in numbers and come up with a rescue package, although they are angry

at being presented with a fait accompli. Neil Saunders asked the parents' meeting if the trustees were not under a legal obligation to keep the school open. "What we have seen is the cynical manipulation of children with the end objective of liquidising millions of pounds worth of assets," he said. The site was valued for accounting purposes last June at £2 million but parents believe the site to be worth £10 million.

Trevor Cooper, chairman of the school's society, whose daughter Stephanie, 7, has been there for two years, said: "It has a wonderful special needs unit. It is not just a school for fat cats. It has a godly approach."

Joe Holmes, a dentist from Epsom, whose daughter Gina, 7, attends the school, said: "We feel we've been given no time. We are convinced we can save the school and it is unique in what it offers. It would be a crime to let it close."

Dr Hustler said she was in tears for five minutes before leading a service in the school chapel to mark the announcement. "It is like a large family here and nobody wants to see



Parents of children at St Michael's School, which they say is "criminal to close", and believe could be saved

their family scattered. It is not my decision but it is one I support and understand."

Christopher Everett, chairman of the governors, said that the school had tried to change its green-belt designation to get planning consent but had been refused. It did, however, have permission to build 11 dwellings at the junior

school. He defended the decision to keep news of the closure from the parents. "We wanted an orderly closure," he said, adding that had the news leaked out earlier it might have shut over Easter.

Profits from the sale will revert to the Church Missionary Society in accordance with the articles of the company set

up with charitable status to run the school in 1953.

Girls' schools in rural areas proved the biggest casualties of the recession that affected independent education at the end of the last decade.

Many traditional girls-only boarding schools merged with a nearby boys' school or prep school or took day pupils, but

in more isolated areas this was not possible and dozens of schools were shut. In 1990, at the height of the recession, 78 independent schools closed while about 50 opened.

In recent years, more schools have opened each year than closed but single-sex boarding schools are still at the greatest risk.

Parents sue over failure to identify learning problem

By JOANNA BALE

A GROUP of 24 parents are to sue a local education authority for negligence in allegedly failing to identify their children's learning difficulties at an early age.

A lawyer acting for the parents in Leicestershire disclosed that some of the children had even tried to kill themselves because their lives became so difficult when their problems went unrecognised. Keith Lawson-West has helped the families to win legal aid for their case against the county education authority and is now waiting for psychologists' reports before deciding the next step.

Many of the cases date back nine years and concern children who needed special educational provisions for conditions such as dyslexia.

Julie Billingham, one of the parents, said yesterday that

she had spent nine years trying to persuade teachers that her daughter Gail, now 16, needed specialist attention.

Mrs Billingham, 37, who was successful when she took the case to the local government ombudsman, said: "I was telling teachers since she was five that she had a learning difficulty and she was not reading properly but they just said that she would catch up eventually. Nothing was done until she was statemented for special needs at 13 and diagnosed as dyslexic at 14. She has a variety of learning difficulties, such as short-term memory problems, and should have been at a special school from an early age."

Mrs Billingham explained that Gail twice tried to take an overdose at 13 after being bullied at her comprehensive school. "She has had a rough time. Everyone called her 'stupid' and she has a low self-esteem as a result."

In spite of having a reading age of seven, she left school with four low-grade GCSEs after having specialist examinations in which a teacher read out the questions and wrote down the answers for her. The Billinghams' three other children have no learning difficulties.

Mrs Billingham added: "We think teachers are the experts and if we disagree, we don't know where to go. Gail never caused any trouble at school so they were quite happy to have her there even though she was constantly struggling with the work."

Mr Lawson-West said: "We will claim the authority failed to identify many of the children's problems and failed to provide adequate special education to help them." He added that some children suffering from dyslexia were not diagnosed until they were between 10 and 15 years old.

A county council spokesman acknowledged that letters indicating the parents' intention to take legal action had been received.

Bill soars for voucher publicity

THE cost of advertising nursery vouchers in the scheme's pilot areas is running 50 per cent over budget at £1.1 million. A fifth of parents in Norfolk and the London boroughs of Wandsworth, Westminster, and Kensington and Chelsea have not yet applied (David Charter writes).

The scheme, offering parents of four-year-olds £1,100 vouchers, began last month and is to be extended across the country next April. In parliamentary written answers, Robin Squire, the Schools Minister, said there had been "unexpectedly high demand for information outside the pilot areas". David Blunkin, Shadow Education Secretary, said the spending on publicity equated to £417 for every place created. "It would be hard to conceive a more convoluted way of promoting an expansion of nursery provision."

Pill offers cure for male impotence

By JEREMY LAURANCE, HEALTH CORRESPONDENT

A PILL to boost the sexual performance of flagging males could be on the market in two years, researchers said yesterday. The first treatment for impotence in a pill, sildenafil, claims to "enhance the normal sexual response".

Results of the first trials of the drug, discovered in Britain, were presented at the American Urological Association annual meeting in Orlando, Florida, yesterday.

Among 350 men in Bristol, Belfast, France and Sweden who used it for four weeks, nine out of ten on the highest dose reported better erections compared with four out of ten given a placebo. Two smaller studies had similar findings.

Tom Lue, Professor of Urology at the University of

California, San Francisco, said: "If further clinical trials prove its safety and efficacy, it may be a dream come true for many patients who are looking for a magic pill to improve their erection."

The pill is taken an hour before sex is planned and works by enhancing the natural response to sexual stimulation. It does not automatically trigger an erection. The pill is not an aphrodisiac but acts by blocking the effect of an enzyme, phosphodiesterase-5, effectively increasing the blood flow to the penis.

Sildenafil was originally investigated as a possible treatment for heart problems. Although it had little effect on the cardiovascular system, male volunteers reported an unexpected and pleasing side-effect.

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Antarctic museum retraces intrigue in a cold climate

By NICK NUTTALL
ENVIRONMENT
CORRESPONDENT

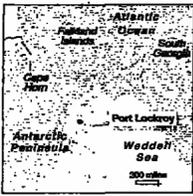
BRITAIN'S most remote museum, where the exhibits include tins of pelican meat and a 1940s radio transmitter, has opened to visitors.

Directors of the Victoria and Albert and other renowned museums are unlikely to lose significant market share to the new rival. The Port Lockroy museum chronicles a thrilling and secret Second World War operation, but its location is hardly visitor-friendly.

Penguins and seal colonies will be more common sights than human beings to the curator. The organisers are convinced, however, that Port Lockroy in Antarctica will attract thousands of people during the continent's short tourist season in January and February.

Ian Collinge, of the British Antarctic Survey in Cambridge, said yesterday that the museum's location was one of the most scenic on the Antarctic peninsula and attracted more than 30 cruise ships and yachts a year.

The decision to open Port Lockroy to the public as Britain's first heritage site in Antarctica illustrates its importance in British Antarctic affairs. It was set up by a team of scientists on the instructions of the Admiralty in 1944 to spy on enemy shipping in the South Atlantic. The operation, called Tabarin after a Paris



nightclub, was also intended to consolidate Britain's presence south of the Falklands. Stamps were issued and a network of Post Offices, magistrates' courts and wireless stations was established in Antarctica.

Port Lockroy fell into disrepair after the scientists left in 1962. Last year, however, a team was dispatched on HMS Endurance to begin repairs and to find and conserve artefacts.

The team, led by Dave Burkitt and backed by the recently established United Kingdom Antarctic Heritage Trust and the Foreign Office, discovered that much of the equipment had been removed. What was left has been preserved for visitors.

Mr Burkitt, who works for Lincolnshire County Council and is a veteran of British Antarctic Survey missions, said yesterday that when they arrived they discovered that "a great deal had been looted and that the roof was stoved in". Among the provisions that

have survived are dried vegetables, including potatoes and peas made by the packing company Andrew Lusk. Mr Burkitt said that the tins of tomatoes had exploded, but tins of pelican meat and corned beef and heavy drinks such as Bovril were intact. "It's a bit like stepping back into an original 1950s food cupboard," Mr Collinge said.

The central building, which is called Bransfield House, has a small bathroom, a darkroom, a lounge, a bunk room, kitchen, base office and commander's office. Near by is a boat shed.

Mr Burkitt said the original buildings had used limpet shells as flooring. Whale bones litter the surrounding area. In the early part of the century, whaling boats would anchor on the peninsula to catch species including humpbacks.

A coal-fired stove, called an Effie, remains as does a radio set from 1944. Another heating stove, called Slow But Sure, was found in pieces but has been restored. The base's original generator, used for radio transmissions and lighting, has been preserved.

Pictures and wall plaques detailing Operation Tabarin and scientific research which paved the way to the discovery of the ozone hole and links between man-made pollution and global warming have also been put up. Mr Collinge said that the team was astonished at how well some of the fabric of the wooden huts had survived.

The original 1940s window frames, supplied by the British manufacturer Boulton and Paul, were in such good condition that they needed only a "scrape and a lick of paint", he said.

Four former British bases in Antarctica have been listed as heritage sites. The others will be at Argentine Island, Horseshoe Island and Stonington Island.

New Zealand has designated the Scott and Shackleton huts at McMurdo Sound, on the other side of Antarctica, as heritage sites. The United States has earmarked its base at Stonington Island for similar treatment.



Tenneh Cole, who survived a 250-mile trek through jungle after being shot



An X-ray showing the bullet in Tenneh's skull

Help for girl with bullet in her skull

By JEREMY LAURANCE
HEALTH CORRESPONDENT

A GIRL aged five is to be flown to Britain this week to have a bullet removed from her brain 16 months after she was shot.

Tenneh Cole's condition came to light after a three-month, 250-mile journey on foot through the jungle of Sierra Leone. When doctors X-rayed her head to discover why her speech was slurred they found a bullet from an AK-47 rifle lodged behind her right eye. Until then it was thought she had fallen and banged her head.

The doctors said she would die unless she could be treated. However, they said there was nothing they could do for her.

The charity Hope and Homes for Children, set up to care for orphans of the civil

war in Sierra Leone, has arranged to fly her to the Norfolk and Norwich Hospital on Thursday. Geoffrey Cheney, consultant oral and maxillofacial surgeon, said: "Her injury is incompatible with life. If the bullet didn't kill her outright you would have expected infection to have done so."

Tenneh was discovered alone and crying in January last year by Malomoh Cole and his wife Mariama, who were fleeing from warring rebels. Four days later Mr Cole saw Tenneh collapse with blood pouring from her head. A few days later her condition worsened and Mr Cole sur-

rendered to rebel forces to get medical help. He was tortured but eventually escaped. When they finally reached Freetown, a doctor examined Tenneh and the full extent of her injury was discovered.

Lottery cash will aid rural crafts revival

By ALEXANDRA FREAN
MEDIA CORRESPONDENT

PEOPLE living in rural communities will soon be able to apply for grants to learn such crafts as thatching and smithing as part of plans from the Millennium Commission to award National Lottery cash to individuals.

Lottery grants, to be known as Millennium Awards and worth a minimum of £2,000 each, are also expected to be made available to the growing army of retired people who want to learn new skills, to youth group leaders and to urban farmers.

The Millennium Commission, one of the five good causes benefiting from

lottery funds, is expecting to receive at least a hundred proposals today from organisations wanting to run Millennium Awards schemes on behalf of the commission. The deadline for applications closes tonight.

Mark Ereira, head of development at the rural community charity Suffolk Acce, said the grants could be used to help to revive ancient rural skills and bring long-term benefit to villages and local communities. "People could learn stillwalking or juggling, enabling them to put on a village festival, which in turn could boost tourism and the local economy. They could learn thatching, iron-smithery, carpentry or horticulture and then set up co-opera-

tives or enterprises in their villages." Nigel Haynes, of the Alliance, an umbrella organisation of youth groups, wants to use his proposed Millennium Awards scheme to help to train young people to be community leaders, particularly in deprived urban areas. "Someone might use an award to learn the skills they need to run an inner-city farm," he said.

"It may be great for lottery money to be going to things such as the Royal Opera House, but these Millennium Awards will really be helping a sector which doesn't see the benefits of lottery spending," Mr Haynes said.

Andrea Kellimanson, director of the Volunteer Centre, a national charity

established to boost voluntary work, said: "Our awards scheme will be aimed at trying to bring five under-represented groups into the voluntary sector - teenagers, people aged over 65, ethnic minorities, people with disabilities and the unemployed."

Joe Heart, director of the Multi-Cultural Media Centre in London, wants to run a Millennium Awards scheme to enable more people from ethnic minorities to work in the media.

The commission, which is providing up to £20 million annually for the awards to the end of 2000, in addition to a £100 million lump sum investment thereafter, hopes to authorise the first grants by the autumn.



The base at Port Lockroy was abandoned in 1962

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WEDNESDAY MAY 7 1996

Scrubbin

Jobless reclaim Welsh coast from tanker spill

Scrubbing-brush army defeats invasion of oil



The treacherly spillage was up to eight inches deep

Jobless reclaim Welsh coast from tanker spill

By BILL FROST

AN ARMY of workers on the west Wales coastline are clinching a victory over what might have been environmental disaster. With the help of tide and winds, Pembrokeshire's jobless have all but cleared their shores of the 76,000 tonnes of light crude oil shed by the tanker *Sea Empress*.

They have saved protected wildlife sites, the lucrative tourism industry and, in a few weeks' time, will secure again the livelihood of many fishermen kept in port since the disaster.

At least 120 miles of coastline were oiled when the vessel breached her hull last February as she ran aground on the approaches to Milford Haven. "We could not imagine a single event which would cause so much damage," the Countryside Council for Wales, the government wildlife conservation body, said.

Such fears now appear to have been groundless. The thick chocolate mousse of oil that blighted the coastline has been dispersed.

Kevin Colcomb, a marine pollution specialist who leads the Joint Response Centre in Milford Haven, says there is no longer any justification for the doomsday predictions made in the wake of the spill. "Some beaches were under

happened and that there were serious environmental consequences. But almost three months on the water and the beaches are almost as clean as they were before the spill."

Mr Colcomb's response centre has co-ordinated the clean-up of 45 beaches so far. At some otherwise inaccessible sites the scrubbers, as they are known, have abseiled down treacherous cliff faces to reach the oil below. Such has been the success of the operation that the centre will close within a fortnight. "The clean-up has been incredibly efficient. I've been in this game a while — I did the *Braer* spill [in the Shetlands, January 1993] — and I am really impressed by what has been achieved," he said.

But he will not predict the long-term impact of the *Sea Empress* spill. "No one can say how this will affect the ecosystem over the coming years, but I stress this is not an environmental Armageddon."

A fishing ban imposed on a huge box of water from Swansea to St David's in the immediate aftermath of the disaster may be lifted soon. Tests on mussels and other shellfish show that the level of "tainting" has dropped to almost nothing. Increasingly clean water has enabled them to purge their systems of oil and to breed once more.

Fishermen who have already claimed almost £250,000 in compensation for lost earnings are impressed at the speed and effectiveness of the clean-up. However, there is simmering resentment over the damage done to the trade.

Willie Phillips, a crab fisherman from Solva, near St David's, has lost "thousands of pounds" from the ban. According to his wife, Jan, he has also lost his good temper. "He's been very grumpy since he was stopped going out fishing. It's not surprising — the sea is his life," she said.

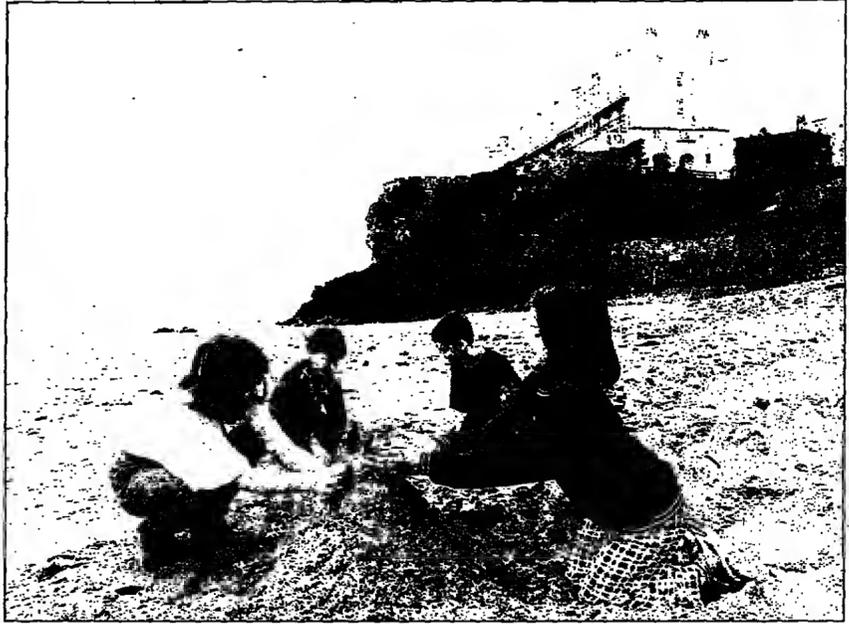
Since the ban came into force in February, Mr Phillips, a fisherman for 45 years, has kept his business alive by buying crab from Fishguard and selling to his usual customers in hotels and restaurants. "If you let the regulars down they go elsewhere. I've got to do it, even though it's pretty close to making a loss."

The last few months have been terrible. The worry has stopped me sleeping. The problem is that even the locals believe that shellfish from these waters are contaminated, though the evidence now points in the other direction.

Tourism on this spectacular coastline was threatened too. Negative images of oiled beaches and thousands of dead sea birds brought a dramatic reduction in early bookings. In recent weeks trade has been picking up. Robin Gwyn of the Wales Tourist Board predicts that the coming season may not be as disastrous as hoteliers feared.

"We have been getting the message across that the clean-up operation is working. The major beaches are clear and the coastline has been cleaned of oil."

Mr Colcomb agrees. "I won't tell you what my first thoughts were when I arrived on the night of the spill. All I can say is that the tides and the world's best experts in this field have averted what might have been a real long-term disaster."



Teams recruited mainly from the unemployed, working painstakingly for up to 12 hours at a time, have restored beaches like the one at Tenby where children now play

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Colcomb: directing from his Milford Haven HQ

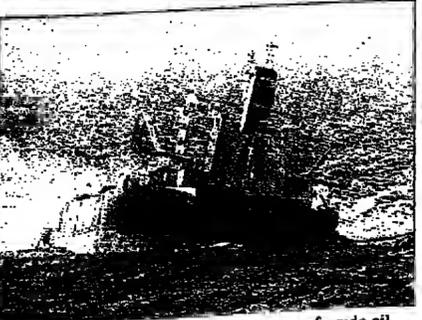
eight inches of oil back in February but they are clean now," he said with some satisfaction.

Mr Colcomb's army of cleaners — most of them unemployed before the disaster — has been deployed from Tenby to St David's. Down on all fours they buff the rocks clean of oil with scrubbing brushes and brooms.

George Doolin, the "beach master" at Amroth, initially one of the most blighted stretches of sand, works his men for 12 hours at a stretch, tides permitting. "It's a tough job but we're getting it done at incredible speed," he said.

On the rocks beneath the cliff face, Mr Doolin's troops are scouring away oil as thick as treacle. The men work at extraordinary speed, apparently impervious to the icy gale that often blows in from the Bristol Channel. The wind and waves have been powerful weapons in the fight against pollution. High tides and favourable breezes helped to disperse much of the light crude before the oil could reach the west Wales coastline.

"We were very lucky," Mr Colcomb said. "The tides were on our side and so were the winds. No one denies this was a disaster that should not have



The *Sea Empress* shed 76,000 tonnes of crude oil

Russian spies step up watch on British firms

By MICHAEL EVANS, DEFENCE CORRESPONDENT

THE exposure in Moscow of a Russian espionage agent allegedly working for MI6 comes at a time when Britain's security and intelligence services have been warning officials of an increasing level of spying in this country by Russia's civilian and military agencies.



Lander: his operations are greatly cut back

The SVR, successor to the Cold War KGB, and the GRU, the Russian military intelligence service, have both become increasingly active in Britain, targeting defence and commercial sectors.

Recent warnings of Russian spying in Britain have been made by Dame Stella Rimington, who retired last month as Director-General of MI5, and by the parliamentary Intelligence and Security Committee, which is chaired by Tom King, the former Secretary of State for Defence.

Yevgeni Primakov, who was head of the SVR before his recent appointment as Russian Foreign Minister, made clear that his country would still spy against Britain. In the past year or so, the SVR and GRU have renewed their efforts to post intelligence officers to London.

Dame Stella, who was succeeded as MI5 Director-General at Easter by Stephen Lander, a senior Security Service official, said in a lecture last year: "The Security Service needs to take the necessary steps to ensure that our national security is not damaged by activity of this sort."

Steps were taken to reinstate some resources that had been diverted to other areas of concern, such as counter-proliferation, to meet the perceived growing Russian espionage threat. However, only one fifth of MI5's "core intelligence resources" are devoted to counter-espionage, compared with about 50 per cent in the period before the fall of President Gorbachev.

In its first annual report, published at the end of March, the Intelligence and Security Committee concluded: "The Security Service will need to keep under close review the resources it devotes to work

against Russian espionage." Mr King also commented: "They [Russian spies] are back in business, having retreated after the collapse of the Soviet Union and there is disturbing evidence that Russian espionage is again on the increase."

ESPIONAGE ON THE RISE

If the arrested Russian has genuinely been working for MI6 in Moscow as a prime intelligence asset, it will be a considerable blow because the Secret Intelligence Service has had to reduce by about two thirds its operational efforts to gather covert information on Russia. The Government's electronic signals department at Cheltenham in Gloucestershire, GCHQ, has also cut back its operations against Russia by about a half since the end of the Cold War.

Russian officials in Moscow said that the arrested man worked in a Moscow government department with direct access to classified material and had admitted spying for British intelligence. They said he had been recruited in the mid-1990s and had sold political and defence secrets to MI6.

The number of spying allegations involving either Russian or British agents has dropped sharply since the end

of the Cold War as political relations between the two sides have improved. When cases have arisen, it has often been in the interests of both sides to deal with them confidentially, without any public statements, although some alleged spies have been forced to make public exits.

In recent years, both MI6 and MI5 have tried to encourage the Russian SVR to share intelligence in areas such as international terrorism and nuclear proliferation. However, Dame Stella admitted last year that it was taking longer to reach the same level of understanding and collaboration with the Russians than it had with other members of the former Warsaw Pact.

Nevertheless, there has been some collaboration between the British and Russian intelligence services and meetings have taken place between officials at the highest level. The SVR has shown a particular interest in co-operating on counter-terrorism methods, although so far without any significant practical results.

However, yesterday, as a sign that the latest spy allegations from Moscow may not cause long-term damage to the putative intelligence partnership, Russian security police disclosed that they had discovered that the IRA had been using front companies in the Baltic state of Estonia to buy arms.

The Tass news agency quoted sources in the Russian Federal Security Service (FSB) as saying that the anti-terrorist department discovered the link during an investigation into illegal arms deals from Estonia to Russia.

The sources said the IRA bought several batches of sniper rifles, machineguns and explosive devices through an Estonian extremist organisation, called Kaitseleit (Defence Union), which they said had links to Estonian intelligence.

Helle Sagris, press secretary to the Estonian security police, said there was no evidence to back up the Russian claims.



Yevgeni Primakov, who kept the espionage network intact in face of budget cuts

The spy chief who came in from the Cold War

FROM RICHARD BEESTON IN MOSCOW

AS THE spy controversy between Moscow and London unfolded yesterday, Yevgeni Primakov, the Russian Foreign Minister, may have allowed his usually impassive features to break momentarily into a happy nostalgic smile.

As Russia's former spy chief, who headed the Russian intelligence service before taking his present post this year, he is aware that despite the improvement in Russia's relations with the West, Cold War espionage

FROM RICHARD BEESTON IN MOSCOW

INSIDE VIEW

still persists between the former rivals.

Mr Primakov, who is largely credited with keeping Russia's spying network together in spite of the budget cuts and administrative chaos of the past five years, has also succeeded in re-establishing the authority of the Foreign Ministry, partly through taking a tougher line with the West.

Mr Primakov, 66, owes much of his success to his deft navigation through Moscow's treacherous political waters. In his career he has slipped

effortlessly from journalism to the academic world to espionage and finally to diplomacy.

Politically, he managed to stay near the top during the Brezhnev stagnation, through the Gorbachev reform years and finally in today's Russia under President Yeltsin.

Mr Primakov was once responsible for leading spies for dissidents with the West, went on trial here for a second time on charges of blackmailing 39 would-be emigrants. He received a suspended jail term at the first trial. (AFP)

Yeltsin vows to hold polls on schedule

FROM RICHARD BEESTON IN MOSCOW AND ROGER BOYES IN BONN

PRESIDENT YELTSIN intervened yesterday to reassure Russians that next month's presidential elections will take place as planned after his security chief had called for the vote to be postponed.

In an attempt to dampen the political uproar caused by the remarks made by General Aleksandr Kozhakov, who predicted a civil strife if the elections went ahead on June 16, the Russian leader ordered his close friend and adviser not to meddle in politics.

"Several people, not only Kozhakov, believe that Zyuganov's victory would be the beginning of a civil war," Mr Yeltsin said in a reference to his Communist rival, Gennadi Zyuganov. "I trust in the wisdom of the Russian voters. That is why the elections will be held in the time determined by the constitution."

General Kozhakov, a former KGB bodyguard who is widely regarded as the most influential figure in the Kremlin, astounded the country when he said in two interviews that he was against the elections taking place because of the threat of violence from left-wing forces and hardline nationalists who were ready to fight whatever the outcome.

However, President Yeltsin put an end to his declarations. "I told Kozhakov not to meddle and not to make such statements any more."

Nevertheless, the remarks have fuelled speculation that certain elements in the Kremlin hierarchy may resort to desperate measure if they believe that President Yeltsin is headed for defeat. Viktor Anpilov, a hardline Communist allied to Mr Zyuganov, said any attempt to cancel the vote would lead to civil war.

This demonstrates the reluctance of the authorities to permit peaceful transition of power to working people. The leadership feels it is incapable of winning," he said. Vladimir Lukin, a member of the liberal Yabloko party, said the incident smacked of another intrigue and wondered how a man as senior as General Kozhakov could state such a view without the permission of

his superiors. Two possible explanations of his remarks have emerged. Either President Yeltsin used his security boss to send a message to the opposition that the elections would be scrapped if the situation became violent, or the security chief, in league with like-minded figures in the Kremlin, parliament and private sector, genuinely wants to begin a movement to cancel the vote.

Whatever the motivation, the issue could become irrelevant if the latest opinion polls prove correct. Two polls published on Sunday indicated that President Yeltsin had caught up with Mr Zyuganov.

Mr Zyuganov took the country's presidential election campaign to the West yesterday as he attempted to woo both German politicians and bankers.

"It is a mistake to back just one politician," he said in a visit to Bonn. During a meeting with Wolfgang Schäuble, the Christian Democrat parliamentary leader, he argued that the Communist Party had fully democratic credentials and that it would pursue gradual market reform.

No member of the German Government was willing to meet him and he was also shunned during Herr Kohl's visit to Moscow last February. But the long discussion with Herr Schäuble was regarded as a breakthrough by Mr Zyuganov's aides.



Zyuganov: courts votes in the West

Race is on to topple Helms

FROM TOM RHODES IN WASHINGTON

JESSE HELMS, the conservative icon and most polarising of Senate Republicans, has been the dominant presence in North Carolina politics for the better part of a quarter of a century.

Today will be no exception as his name hangs like an uninvited guest over the state's Democratic primary, in which two candidates are competing for the right to oppose him when he seeks a fifth term in the Senate in November.

The choice for the Democrats is between Harvey Gantt, 53, the first black Mayor of Charlotte, who lost to Mr Helms, 74, six years ago, and Charles Sanders, 64, a wealthy white doctor and former chairman of the American subsidiary of Glaxo, the British pharmaceutical firm.

Their campaign has become not merely a referendum on Mr Helms but on whether a black candidate is capable of beating him, returning to a leitmotif of race which has followed the senator since he was first elected to Capitol Hill in 1972. In the previous contest

against Mr Gantt, Mr Helms ran a series of controversial advertisements depicting a white man tearing up a rejection slip from his employer. "You needed that job and were the best qualified," intoned the announcer, "but they had to give it to a minority because of a racial quota."

This time, however, an implicit race card has been brought into the campaign by

Mr Sanders, whose pitch has been that he is "the one Democrat who can beat Jesse Helms".

The theme has clearly resonated even among black voters, whose main concern is to eject from office the current chairman of the Senate foreign relations committee and the reigning king of conservative white populism in the South. The most recent polls

suggest that the momentum is behind Mr Sanders in the primary today. Mr Gantt, who once led by 30 points, has been reduced to a 5 per cent lead.

From his rise as a television commentator in the 1960s, when he denounced the Civil Rights Act as "extremely dangerous", to recent opposition to affirmative action and federal funding to fight Aids, Mr Helms has always provoked visceral reaction among opponents.

Such stands, however, combined with his forceful protection of American interests abroad, objection to arms treaties, opposition to the appointment of ambassadors and blocking of foreign aid, remain popular with rural conservatives in North Carolina.

"I'm of the mind that neither of them can beat Helms," said Thad Boyle, a political science professor at the University of North Carolina at Chapel Hill. "Jesse has a way of chewing up everybody who comes after him."



Bellar: saw round-up

Aboriginal to become judge

AFTER more than 200 years of white settlement, an indigenous Australian will be appointed a judge this month.

Bob Bellear, 52, was drawn into a legal career after witnessing police "round up" Aboriginals in Sydney in 1970 following a disturbance (Our Foreign Staff writes). Rather than join in the fighting, he decided to study law.

He will be sworn in as a judge of the district court in New South Wales on May 17.

Serb war crimes suspect goes on hunger strike

FROM STACY SULLIVAN IN KOZARAC

WHEN the first international war crimes trial since Nuremberg begins today at The Hague, prosecutors will try to prove that Dusan Tadic mutilated and killed 16 Bosnian Muslims at concentration camps in the summer of 1992.

Yesterday Mr Tadic, a Serb, said he was starting a hunger strike to press for a fairer trial. Speaking to Dutch television from his prison in Scheveningen, he denied all charges against him.

In Mr Tadic's hometown of Kozarac, a badly damaged village now populated by refugees, his brothers Mladen and Ljubo claim that he is a victim of mistaken identity. They portray their brother as a drift dodger who fell out with the Serb authorities in Prijedor where the Omarska, Keraterm and Trnopolje camps were located. They say he has been made a scapegoat by those who committed the crimes. Survivors of the

camps have identified Mr Tadic, a 41-year-old bar owner and karate instructor, as an executioner who used to enter the camps to torture, rape and kill the inmates.

In one instance, witnesses say Mr Tadic beat four men, then forced another inmate to bite off the testicle of one of those he had beaten, before killing them all. Emir Beganovic, a family friend of the Tadic, was allegedly among the four.

Others say he forced them to drink water from puddles, then jumped on their backs and beat them. But Mladen and Ljubo Tadic claim the victims have mistakenly identified their brother as the perpetrator and that he was imprisoned by the camps and tried desperately to get his friends out. They say two guards at the Omarska camp, Milorad Tadic and Miroslav Danicic, committed the crimes. The victims at

Omarska, the brothers say, saw Mr Danicic, who looks similar to Dusan Tadic, commit crimes, heard the name Tadic, and made a wrong conclusion.

They say the authorities in Prijedor have admitted privately that their brother is not guilty of the crimes but have refused to state it publicly because they want to protect the real criminals.

The Tadic's were one of 12 Serb families in the predominantly Muslim village of Kozarac. Of the four Tadic children, only Dusan stayed there. Once the war started and Kozarac was taken by the Serbs, Mr Tadic joined the Serb police. The Tadic brothers say he chose the police to avoid having to fight on the frontline. "He was a low-level cop who could never have had access to the camps," Ljubo said.

War trial for Bosnia, page 29

Brandenburg vote shatters Prussian dreams

FROM ROGER BOYES IN BONN

GERMAN politicians were lamenting yesterday a "great missed opportunity" and "the chance of a century", but the voters of Brandenburg were clear: they firmly rejected a merger with Berlin and, in so doing, have put an end to the dream of a new Prussian state.

A union of the German capital with the surrounding region of Brandenburg seemed logical to the politicians of both state parliaments when they overwhelmingly approved the idea last year. At a stroke, it would have cut the high costs of maintaining two separate states; it would have enriched and modernised Brandenburg and have given Berlin space to grow.

But the sensible accountants' arguments were given an unfortunate edge by Christian Democrats in Berlin who campaigned for a "Christian Prussia". Berlin and Brandenburg formed the core of the Prussian state that was abolished by the Allies in 1947; the

youth wing of the Christian Democrats even wanted to dub the new state "Prussia".

This political misjudgment was based on opinion-poll findings which indicated that many Germans, especially in Berlin and north Germany, admire the old Prussian virtues and no longer identify the state with militarism. An Allensbach opinion poll indicated that 45 per cent of

Germans in the west believed that Prussia had contributed positively to German history, while 41 per cent were undecided. The number of Prussian advocates increased with age — the over 60-year-olds were enthusiastic — and location. Bavarians, traditional foes of the Prussians, made no secret of their displeasure.

The Prussian virtues, as seen by the Germans, include religious tolerance — Protestants and Jews from France and Austria moved there in the 17th and 18th centuries — a sense of duty, respect for education, discipline, loyalty and good housekeeping. The revival of interest in Prussia — including many new books about Frederick the Great — makes much of these virtues.

But it was precisely this frenzied search for roots, for a buried tradition, that scared off most Brandenburgers on Sunday and led to the 55 per cent vote against a merger. Even the promise that the capital of the merged state would be Brandenburg's Potsdam failed to convince them.

That might have created a few jobs, but Brandenburg balked at the idea that bureaucrats would return to the former seat of the Hohenzollerns.

The Brandenburgers were also nervous of the way that East Berlin, capital of the former Communist East Germany, dominated the hinterland during the postwar years and sucked away all important investment.

Most relieved by the week-end vote will be Germany's eastern neighbours. The 19th-century Russian reformer, Herzen, had no illusions about Prussia. "The Brandenburg vulture will invite the Russian eagle to dinner," he said. He talked, too, of the Prussian guard dog which barks and bites along the whole border to Poznan, while licking the boots of Cossacks."

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RACING 24-25

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BUSINESS 34-40

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LAW: A WARRIOR FOR BOSNIA Page 29

THE TIMES

TUESDAY MAY 7 1996

Ebdon showing signs of strain as Scot pursues record-equalling triumph

Hendry edges ever closer to sixth world title

By Phil Yates

ONLY the worst collapse of his 11-year professional career stood between Stephen Hendry and the £200,000 first prize at the Embassy world snooker championship yesterday as he established a 14-10 lead over Peter Ebdon in the final at the Crucible Theatre, Sheffield.

Last night, Hendry entered the concluding session of the final, over the best of 35 frames, within sight of equaling the modern record of six world titles, jointly held by Ray Reardon and Hendry's great rival, Steve Davis. He has not been at his unstoppable best at any stage of the 17-day championship, but he has nevertheless responded positively to any whiff of trouble, and it was this ability that helped him to maintain his supremacy.

Facing a 10-6 overnight deficit, Ebdon desperately needed a flying start to the afternoon session but, in an opening frame sealed by a 55 clearance from Hendry, the challenger missed two reds and a straightforward yellow.

Ebdon accounted for the next frame with a solid 61 break, but could not sustain the consistently high standard that helped him to emerge victorious from battles with Jimmy White (13-12), Davis (13-10) and Ronnie O'Sullivan (16-14) in the preceding three rounds.

Therein lay the problem. Ebdon, who prides himself on his mental fortitude and stamina, had trodden a considerably more arduous route to the final than Hendry, who had been seriously threatened only when forced to recover from 6-3 down to beat Jason Ferguson 10-8 in the first round.

Two long reds initiated the breaks of 30 and 56 with which Hendry secured the nineteenth frame and the Scot, attempting to win the championship for the fifth successive year, clinically added the twentieth with a run of 83 after Ebdon had misjudged a safety shot.

Hendry appeared to be in total control, but an uncharacteristic error when potted to claim the 21st frame temporarily undermined his confidence. The blunder came when Hendry, ideally positioned, jawed a simple pink to a middle pocket. Ebdon

pooned to make it 13-8 and, now enjoying some much-needed momentum, he launched a 77 break in the 22nd frame with an audacious three-ball plant. Suddenly, Hendry's victory did not seem so certain.

The gritty Ebdon's revival, reminiscent of his performance in the Benson and Hedges Irish Masters final last year, when he rallied from 5-1 and 8-6 down to beat Hendry 9-8, continued as, from 54 points in arrears, he won a dramatic 23rd frame on the black.

An extremely risky red, potted despite the cue-ball being tucked under the balk cushion, initiated Ebdon's 51 clearance to blue. Hendry potted the pink, but could not attain position on the black

and left it hanging invitingly over a top pocket after an ambitious attempt at a thin cut.

Ebdon was also presented with the first scoring opportunity in the closing frame of the session, but missed a straight red. An explosive "kick" on a pink ended Hendry's break of 39, but, given a subsequent chance, he then put together a run of 57 to restore a four-frame lead.

That left Hendry requiring only four of the remaining 11 frames for his sixth world championship triumph in seven years and his 25th consecutive match win in the event, stretching back to his surprise quarter-final elimination at the hands of Steve James in 1991.

On Sunday evening, Ebdon had been his own worst enemy after spectacularly doubling a respooned black the length of the table to reduce his deficit to only 7-6.

Shouting "come on, come on" to himself, Ebdon's animated state as he strode out of the arena merely made Hendry, previously relaxed, even more determined. In the final three frames of the second session, Hendry aggregated 290 points without reply. It was a classic case of the world No 1 letting his cue do the talking.

Hendry's attention had earlier been focused by the prospect of a £147,000 bonus for a maximum 147 break. In the tenth frame. Given the chance to achieve his fourth maximum break in competition, Hendry potted 15 reds and 15 blacks, plus the yellow and green, before failing on a difficult brown along the balk cushion.



Ebdon can only watch as Hendry protects his four-frame advantage yesterday. Photograph: Paul Barker

RFU will probe into cup final push in back

By David Hands RUGBY CORRESPONDENT

THE Rugby Football Union (RFU) will begin today its investigation of the concluding episode of the Pilkington Cup final on Saturday between Bath and Leicester, when Neil Bath, the Leicester flanker, pushed Steve Lander, the match referee, to the ground.

Assault of a referee is the most serious crime in rugby; it carries with it the possibility of suspension sine die, though, in this instance, a petulant push scarcely equates to a hot-blooded attack that has sometimes been the lot of referees in, for example, France. Nonetheless, action must be taken for the good of the game.

Roy Manock, the RFU's disciplinary officer, has called for reports from the referee and touch judges and he will study a video recording. "If I think there is a case to be answered, I will set up a panel of three independent officials," Manock said yesterday. Leicester are content with that.

The Leicester management studied the video on Sunday and yesterday issued a statement accepting Back's initial claim that he believed that it was Andy Robinson, the Bath flanker, whom he pushed after the final whistle. Even so, the image left with thousands of rugby enthusiasts, thanks to television, is of a player pushing a match official.

Leicester will hope that rumours linking several of their first-team reserves — and a couple of first-teamers — with Coventry, the champions of the third division, do not come true. Coventry are expected to unveil new players tomorrow.

Richmond, the runners-up to Coventry, are expected to announce today two new signings in Ben Clarke, the Bath and England No 8, and Scott Quinnell, from Llanelli via Wigan rugby league club.

Quinnell's switch, page 22

Brighton to restage abandoned match

YORK City's Endsleigh Insurance League second division match against Brighton, abandoned because of crowd trouble ten days ago, is to be restaged at the Goldstone Ground on Thursday, with an 11am kick-off (Russell Kempson writes). The Football League has made the match all-ticket.

If York draw, or manage to score three goals in defeat, they will avoid joining Brighton in the third division next season. Carlisle United, above York only on goals scored, will be relegated instead.

Douglas Craig, the York chairman, said: "We have to get the season finished, that's all there is to it." Tickets will be limited to two per person and will only be on sale at the

Goldstone Ground tomorrow between 9am and 5pm.

The Football Association is to consider reports of crowd trouble at the weekend matches involving Ipswich Town and Millwall, Coventry City and Leeds United and Hull City and Bradford City. Millwall supporters ripped out seats and threw them on to the pitch after the 0-0 draw at Portman Road on Sunday had sent their club into the second division.

It could lead to the FA activating the suspended sentence — a £100,000 fine and two games to be played behind closed doors — that has hung over Millwall since trouble during the play-off match against Derby County two years ago.

Venables seeking smooth build-up

By Russell Kempson

CHINESE football authorities have ordered hasty repairs on their pitch at the Workers' Stadium in Peking before England will agree to play on it on May 23. Terry Venables, the England coach, inspected the surface on Sunday, asked for improvements and will look at it again tomorrow.

However, it is unlikely that the fixture, against a Chinese XI, will be cancelled. It is England's penultimate match before Euro 96 — they conclude their Far East tour against a Hong Kong XI on May 26 — and Venables is keen for the build-up to the championship to be uninterrupted.

China should provide testing opposition. They defeated Sampdoria, of Italy, 3-1 last

June and Colombia 2-1 in October. Arsenal lost 2-1 to Guo An, a Peking club, in the Workers' Stadium 12 months ago, a game in which David Seaman, their goalkeeper, fell awkwardly and broke an ankle. It was the incident that prompted Venables's reconnaissance trip.

"It's not clear yet whether the pitch will be OK," an official of the Chinese Football Association said. "It seems there are some problems." Unseasonable weather in the Chinese capital has left sections of pitch yellow and almost bare, but Tan Yishu, the stadium manager, was optimistic. "This is the best bit of grass in China," he said.

The English FA is not unduly worried. "After looking at the pitch for the first time, Terry wants some extra

work done on it," Steve Double, an FA spokesman, said yesterday. "The Chinese people are doing that and we don't believe the game is in any jeopardy."

Venables is due to announce



Venables: pitch inspection

his tour party tomorrow, from which the final 22 players for Euro 96 will be drawn. Today, Steve Howey, the Newcastle United defender, faces a fitness test at the club's Maiden Castle training ground that will determine his England prospects.

After damaging a hamstring in the 4-3 defeat away to Liverpool, Howey missed Newcastle's closing seven games during the FA Carling Premiership run-in. "I don't think I'm 100 per cent, but I'll give it a go," he said.

Tony Adams, the Arsenal centre back, is also doubtful — he has not played since mid-January — but Gary Pallister, Gareth Southgate and Darren Anderton, England's other long-term injury worries, have returned recently and should be available to Venables.

No seagulls in sight as Cantona breaks silence



Cantona: has repaid faith United have shown in him

Winning the FA Carling Premiership is an even more momentous achievement than we thought. It persuaded Eric Cantona to break his self-imposed silence yesterday for almost the first time since he informed an expectant world that seagulls follow trawlers on the look-out for sardines. That was taken to be a metaphor.

This time, his utterances were less gnomic as he considered his return from ignominy to help Manchester United to win their third championship in four years. "For the last 15 or 16 matches, we have concentrated completely on that objective," he told L'Equipe, the French sports newspaper, adding the French equivalent of "over the moon" — "C'est vraiment un beau jour."

Turning to his tormentor, Matthew Simmons, the Crystal Palace supporter whom Cantona attacked, who last week had been found guilty of threatening behaviour, and then assaulted the prosecution counsel,

Peter Ball finds the French forward in talkative mood after the euphoria of Premiership success

Cantona was magisterial. "I don't want to give that person more importance than he has," Cantona said. "I would simply say that that [Simmons's assault on the lawyer] speaks for itself." He admitted, though, that his clash with Simmons, which brought him a two-week jail sentence, later committed to community service, and an eight-month ban from football had taught him a lesson.

"Before that night, I was behaving like a child," he said in a rare display of self-criticism. "I was prepared to repeat the same mistake again and again. After it, I realised that that was an irresponsible habit."

Cantona said that he had been hurt by the amount of criticism that followed his kuog fu attack on Simmons at Selhurst Park a year ago in January, but added: "I'm not naive.

I know that now there will be a lot of praise, and that, too, will probably be too much."

At the time, United's decision to stand by Cantona provoked a lot of criticism for the club and Alex Ferguson, the manager, as well. Cantona's behaviour, and form, since his return has repaid their faith, and Cantona made a further down-payment yesterday when he committed himself to United for the rest of his career.

"I have signed a contract [last August, for three years], and I will stay here as a sign of my faith and trust in Alex Ferguson and my team-mates," Cantona said. "It was Ferguson who persuaded me to stay after that incident, and I wish to carry on repaying his faith in me."

He was equally supportive of the France national team, although he has

not been restored to the squad since being stripped of the captaincy in the wake of the Simmons affair. "I have followed what has been going on in France, but, as for being in the team, we'll have to see," he said. "I have a lot of friends in the team and, with or without me, I wish the team well."

He was less generous to David Ginola, of Newcastle United, his old sparring partner, who saw the dream of the Premiership title disappear over four days last week. "I think there are some people who talk too much," Cantona said. "The most important thing is what is done on the pitch."

There at least, nobody can quibble with Cantona this season, but he, too, may be talking more this week — he is expected to make an acceptance speech when he picks up his Football Writers' Association footballer-of-the-year award on Thursday night.

Ferguson's triumph, page 25
Ball's despair, page 25
ITF standings, pages 26, 27

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Atherton's authority fails to mask damaging impetuosity of colleagues Lancashire lured to their doom by wiles of Patel

By SIMON WILDE

CANTERBURY (final day of four): Kent (19pts) beat Lancashire (4) by 64 runs

THE first two days of this match produced grey skies and frustration, but yesterday brought glorious compensations. A target of 340 for Lancashire to win, albeit with two barred declarations on Saturday, set the stage for a thrilling, fluctuating finale, played out in warm sunshine and culminating in Kent's first Britannic Assurance County Championship victory since June 5 last year.

opportunities to do these days; but after 260 minutes his final stroke — attempting to pull a sixteenth boundary that would have given him only his third championship hundred since becoming England captain three years ago — made defeat a certainty. Patel deserves credit for drawing Lancashire to their doom. He bowled without a break, except to change ends twice, from shortly before lunch until the finish, which came in the third of the final hour's to overs, and he simply wore the batsmen down.



Patel: lengthy spell

As has become his habit in recent times — when Kent have struggled to dismiss opponents — Patel turned to bowling over the wicket as his side sought to stave off the flow of runs. He worked like a dream. His third spell yielded five of the last six wickets for

22 runs in 62 balls as Lancashire slid from 223 for four to 275 all out. This performance may provide Patel with the encouragement he needs after a disappointing season last year. Two years ago he was the leading wicket-taker in England with 90 victims and was close to England selection, since when he has fallen behind Richard Illingworth, Phil Tufnell and perhaps even Richard Stemp in the ranks of left-arm spinners.

If Patel — who has now taken 31 wickets at 17 each in his last four championship matches against Lancashire — did the mopping up, the Kent seamers played their parts. With Ealham resting a tender hamstring, they were operating one short but Thompson and Fleming each made one telling contribution early on. Thompson added to the growing list of Test batsmen among his victims by removing Gallian and Fleming produced a delicious inswinger to bowl Crawley.

Fairbrother joined Atherton at 50 for two and was into his stride with typical ease, but before lunch, Atherton was barely less positive. He had scored 63 by lunch but afterwards adopted the anchor role and added only 30 during the session. In fact, after taking 87 balls to reach 50, he spent another 140 scoring 48 more. Perhaps the most significant spell of the day was bowled by McCague, clearly desperate to perform well against the England captain. His first two spells were fruitless, and Atherton treated him without mercy, but his third in mid-afternoon brought him the wickets of Fairbrother — caught by Hooper at slip off a rebound from the wicket-keeper's glove — and Speak in successive overs.

Essex invigorated by youthful endeavour

By IVO TENNANT

FOR ESSEX, a period of transition, of trenchant consolidation, is coming to an end. Nasser Hussain, their captain, will be concerned if they do not win a trophy this year and, given the manner in which they gained a remarkable triumph over Worcestershire yesterday, the younger players will be, too. One of them, Ronnie Irani, struck an unbeaten 110 off 86 balls to bring about a five-wicket victory.

swiftly as they had the upper order on Saturday. "Top-class bowling from quality fast bowlers," Whitaker, the new captain, described their achievement in taking all ten wickets between them. Mullyally, who had a successful winter in Australian grade cricket, finished with six for 47 and match figures of 11 for 130. Mills, who missed most of last season with an Achilles tendon injury, took the other four second-innings wickets. The upshot was that Derbyshire were bowled out for 89, leaving Leicestershire needing 137 to win. Maddy and Aftab Habib batted with composure and the captain was at the wicket at the end of the match.

The Indians gained as straightforward a victory over England's NCA at Uxbridge as they did over the Duke of Norfolk's XI the previous day. Azharuddin made a typically attractive century in a total of 290 for four that proved too much for the pick of club cricketers in the county.



Atherton sweeps to the boundary during his fine innings of 98 at Canterbury

Pacemen steal the spoils

By JACK BAILEY

CARDIFF (final day of four): Yorkshire (22pts) beat Glamorgan (5) by 43 runs

THE Glamorgan faithful certainly had their money's worth this Bank Holiday weekend. After the excitement on Sunday, yesterday saw Glamorgan make a valiant but vain bid for overthrow Yorkshire after a nicely-timed declaration by David Byas had left them to make 260 to win. For what turned out to be 50 overs. Four of these, Glamorgan, thanks largely to half-centuries by Hugh Morris and Stephen James, kept up with the asking rate.

With Matthew Maynard and Tony Cottee in full swing, it looked odds-on a Glamorgan victory. Then, with 58 runs needed from nine overs, Darren Gough began a sequence that saw Glamorgan lose their last seven wickets in 45 balls for 14 runs as they slid to defeat. Gough and Craig White shared the honours. Gough took the vital wicket of Maynard and that of Croft, after Cottee had been run out from

into his shell. Meanwhile, Bevan took command. His 77 from 142 balls with 11 fours had turned round the Yorkshire innings. Like Wharf, he was run out and, although Blakey soon provided the bowlers with their first success of the day, Yorkshire were by now contemplating a declaration. After the best part of four days' cricket in which more than 1,200 runs had been scored, it was down to a Benson and Hedges contest. Glamorgan certainly treated it that way. James was the leading light initially, scoring 62 from 79 balls. Then, Morris took over. When he was finally out to a slower ball from Hartley, it was his first dismissal while accumulating 649 first-class runs. When the last 16 overs were signalled, Glamorgan had Maynard and Cottee in command and the 116 required looked within reach, but then Maynard swung across the line against Gough. Cottee was run out next ball and it was all over far too quickly for Glamorgan.

Monarchs punished by Szerezy

AS MAY be surmised from the 9-7 scoreline that carried Barcelona Dragons to victory over London Monarchs yesterday, this latest World League of American Football game was not an offensive shoot-out (Richard Wetherell 20-yard field goal by Scott Szerezy came after a fumbled snap by Sonny Feooco, the Monarchs punter, with just 1min 21sec remaining. The Monarchs are now 1-3 for the season and 1-6 overall at White Hart Lane. The defeat means that they have a tough task to reach the World Bowl in June. Both sides' kicking games were erratic. Szerezy had had a season of woe with his field goals and here he missed one with five minutes remaining. He did not get another chance in the second quarter. Feooco was also involved with Szerezy's second field goal, which brought the score to 7-6. In the third quarter, his punt was blocked and, as the Monarchs defence held, the Dragons were forced to settle for a 44-yard field goal. These failures were all the more galling for the crowd of 13,627 at White Hart Lane because, earlier, Feooco, with the pads at the back of the end zones in touching distance, he managed a superb punt. Monarchs' only points came from superb catch and run by 51-yd touchdown by Tony Vinson in the second quarter.

Yesterday's Cricket Scoreboards

Table with columns for Match, Innings, Runs, Wickets, and Extras. Includes matches like British Assurance County Championship, Derbyshire vs Leicestershire, Glamorgan vs Yorkshire, Somerset vs Surrey, and Durham vs Northamptonshire.

England vs India

Table showing cricket statistics for England vs India, including runs, wickets, and extras for both teams.

Sussex vs Surrey

Table showing cricket statistics for Sussex vs Surrey, including runs, wickets, and extras.

Northamptonshire vs Durham

Table showing cricket statistics for Northamptonshire vs Durham, including runs, wickets, and extras.

Worcestershire vs Essex

Table showing cricket statistics for Worcestershire vs Essex, including runs, wickets, and extras.

Sussex see point of drawing their own conclusions

By PAT GIBSON

TRENT BRIDGE (final day of four): Nottinghamshire (5pts) drew with Sussex (6)

IN A way, Paul Johnson, Nottinghamshire's new captain, had only himself to blame. Two blistering innings over the weekend — 90 off 77 balls on Saturday, 97 not out off 78 balls on Sunday — had made such a profound impression on Alan Wells, his Sussex counterpart, that he was in no mood to take any chances on an old-fashioned Trent Bridge featherbed. Twice bitten, twice shy, Wells did not close Sussex's second innings until Nottinghamshire needed a fanciful 327 off 31 overs to win, and not even the combative Johnson was prepared to contemplate that. It was not quite what the Test and County Cricket Board had in mind when it introduced three points for a draw this season.

Johnson had done his best to make a game of it after the loss of the first day to rain by declaring 48 runs behind on first innings, but Sussex, who had been annihilated by 129 runs in the Sunday match, simply did not have the confidence to pick up the gauntlet. Wells and Lenham did manage to take their fourth-wicket partnership to 82 after they resumed at 77 for three yesterday, but, once Aftod had Wells caught behind, cutting, and bowled Lenham, sweeping, Nottinghamshire must have known that they would have to bowl out Sussex to have a chance of victory.

They went close. Cairns, showing no sign of the side strain that forced him to pull out of the New Zealand team in the West Indies, worked up enough pace to have Salisbury caught behind and induce Moores into a mistimed hook. If Metcalfe had been able to hold a slip chance from Phillips, they might have found themselves chasing something like 250 off 50 overs. As it was, Phillips, playing in only his ninth first-class match, stayed to make 45, hitting a six and seven fours, before Cairns went round the wicket with the new ball and had him caught at second slip. Phillips had lost Drakes, quite brilliantly, and it has to be said, improbably caught by a diving Aftod at mid-on, but Jarvis helped him add 76 for the ninth wicket to leave Nottinghamshire with the formality of batting out the remaining overs. They finished at 68 for two.

Desmond Haynes, the new Sussex coach who had been dismayed by his team's efforts over the previous four days, was happy enough that they had fought their way to the draw. As for the Bank Holiday crowd, they endured it stoically as if they realised that Sussex were not good enough with the bat, Nottinghamshire not good enough with the ball and Wells not bold enough to match Johnson's enterprise.

Somerset's seamers punished by Hollioake and Thorpe

By MICHAEL HENDERSON

TAUNTON (final day of four): Somerset (11pts) drew with Surrey (9)

A PITCH lacking devilment, and a Somerset attack that could generously be described as friendly, enabled Surrey to enjoy a cosy net yesterday, and nobody enjoyed it more than Adam Hollioake, who made his second hundred of the match, from 79 balls. Hollioake hit 22 of them for four, a revealing commentary on the quality of the bowling. All told, there were 72 boundaries in the innings. Hollioake and Graham Thorpe walloped merrily as the game lost whatever sting it had. Shine, Van Troost, Rose and Lee alternated throughout the day, a parade of right-arm seam leavened in the afternoon by a few overs from Hayhurst, the captain, who is a part-time dobbie. They tore in to little avail. Mark Butcher and Darren Bicknell had made fifties before Thorpe and Hollioake began their alliance for the fifth wicket.

Hayhurst must have wished that he could summon Mushtaq, the leg spinner, who bowled more overs in the championship last year, 928, than anybody in the country, and took 92 wickets. However, Mushtaq is on tour this summer with Pakistan, and although Lee, his locum, will make his runs attractively, he will not run through any teams with his medium pace. Unless Caddick makes a spectacular return to form and fitness — a bad back is the injury this week — Somerset can look forward to some ghastly days.

There was particularly poor bowling after tea by Van Troost, who was treated disdainfully. Hollioake and Thorpe put on 196 in 31 overs before everybody agreed that it was time to call a halt shortly after Thorpe had completed his own century, from 122 balls. Hollioake's pair of hundreds was the first by a Surrey batsman since Alan Butcher made two against Glamorgan in 1984. Mark Butcher and Bicknell shared 104 in the morning before Butcher cut a long hop from Shine to cover. It was featureless cricket. After lunch, Van Troost found the edge of Stewart's bat, and Bicknell followed within three overs. Then Brown, the handsome striker, shuffled across his stumps and was leg-before to Lee.

Surrey, 191 behind on first innings, had saved the game by the time that Hollioake and Thorpe had, for all the squawking strokes, the cricket was listless. The batsmen took boundaries whenever the ball was there to hit, which it was as often as three times an over, and everybody fulfilled an obligation to see the game out. Once again, Somerset's over-rate was appalling. In an hour. This was a dreadful day.

COMPANY GOLF DAYS RESULTS. Table with columns for Date, Company name, Venue, and Score. Includes matches like THE LONDON CLEARING HOUSE LIMITED, RENTHILL LTD, and GODSELL ASTLEY & PEARCE LTD.

The players' weekly and overall scores and their values heading into the final week of the game

Table with columns: Code, Name, Team, Pts, Em, Wk, Ov. Lists player statistics for various teams like Blackburn Rovers, Manchester United, etc.



Jan Molby has virtually clinched the PFA members' competition with his team, Danish Dynamite

A LOOK AT HOW THE PFA MEMBERS' TEAMS ARE FARING

Table showing team performance with columns: Pos, Team, (Player's name), Pts, Pos, Team, (Player's name), Pts. Lists teams like Danish Dynamite, South Shields, etc.

Table with columns: Code, Name, Team, Pts, Em, Wk, Ov. Lists player statistics for teams like Blackburn Rovers, Manchester United, etc.

Table with columns: Code, Name, Team, Pts, Em, Wk, Ov. Lists player statistics for teams like Queens Park Rangers, Chelsea, etc.

Table with columns: Code, Name, Team, Pts, Em, Wk, Ov. Lists player statistics for teams like Liverpool, Manchester United, etc.

Table with columns: Code, Name, Team, Pts, Em, Wk, Ov. Lists player statistics for teams like Everton, Manchester City, etc.

Table with columns: Code, Name, Team, Pts, Em, Wk, Ov. Lists player statistics for teams like Blackburn Rovers, Manchester United, etc.

Table with columns: Code, Name, Team, Pts, Em, Wk, Ov. Lists player statistics for teams like Blackburn Rovers, Manchester United, etc.

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Large vertical advertisement on the right side of the page, featuring the text 'Prospect flourish' and 'turn-off fo' along with a logo for 'THE UNITED ASSOCIATION'.

Handwritten Arabic text: 'مكتبة من الأصل' (Library from the original)

Leader admits that he cannot bear to watch Wembley finale with £50,000 on the line

Prospect of Final flourish proves turn-off for Jones

Mike Jones will not be watching the FA Cup Final this time. Down the years, he has been an avid viewer, even if his team, Sheffield United, have not been involved since 1936.



IN ASSOCIATION WITH



Jones, from Sheffield, is the manager of Jones Boys Six, the side entering the final week of Interactive Team Football (ITF) in the lead on 728 points.

His nine-point advantage ought to be enough to ensure victory, but he is not counting his chickens just yet.

The three men have just the Wembley showpiece on Saturday left to negotiate. Tactics are going to be as important as ever, and Jones realises that he is not past the winning post yet.

"Even though I have a healthy advantage over the opposition, I must admit I am frightened to death about the game and definitely will not be watching it," Jones said.

"The £50,000 is a big prize to win and most of the money will be absorbed by my twin boys who are six months old. It would be the biggest disaster if I get beaten and I have tried not to think about spending the money yet."

Jones has shown himself to be a fine manager during the season and has steered his team through the tactical minefield in a most accomplished manner.

One last problem remains to be solved, however, in the shape of his goalkeeper. Peter Schmeichel, of Manchester United,

"One tactic I will definitely be using this week is to replace Schmeichel with a goalkeeper who will not be playing. Schmeichel has been a fine servant to me, but, if Fowler or Collymore get going, it could be potentially the end," Jones said.

To add to his problems, Jones Boys Six also deploy two defenders involved at Wembley on Saturday - Philip

Neville, of Manchester United, and Mark Wright. Either could cost Jones points should their side concede a goal. He can change only one of them - but which one?

Waiting in the wings should Jones Boys Six slip up is Laytons Lions, managed by Richard Layton, of Stanmore, in Middlesex. He, too, has Neville and Alex Ferguson, of United. He will have to transfer very shrewdly to close the gap and a better combination of players for the final game is enjoyed by Gohls Gods 65.

The side managed by the Gohll brothers from London seems to have it all to do to close a 14-point gap, but their Liverpool strike-force of Fowler and Collymore might

make things interesting if United have an off-day.

Whatever the outcome of the competition, The Times has organised a lunch to reward the top ten players, to be held at the themed football restaurant, "Football Football", in London's Haymarket on May 12 from 11am.

There will be FA Carling Premiership players in attendance at the lunch and each of the top ten managers will receive a selection of "Football Football" merchandise.

If you wish to transfer a Manchester United or Liverpool player into your ITF team, you can do this by telephone. ITF has a transfer system that allows you to change up to two players each week. Which player you want to offload and who you replace him with is up to you, although you must replace the outgoing player with one from the same category (ie, a full back with a full back) and keep within your £35 million budget.

You can make transfers only by telephone. Using a Touch-tone (DTMF) telephone (most push-button telephones with a * and a hash key are Touch-tone), call the 0891 333 331 line during the times given. Calls will be charged at 39 pence per minute cheap rate, 49 pence per minute at other times. If you are calling from Ireland, you must call 004 499 020 0631 and you will be charged at 58 pence per minute at all times.

When making a transfer, you must ensure that the team value still falls within your £35 million budget and does not contain more than two individuals (two players or one player and a manager) from the same club.

If you are lagging behind the leading team selectors, the transfer system will be an appealing option to you in the chase for the £50,000 prize or the monthly £500 prize.

With ITF, not only are you pitting your selectorial skills against other readers of The Times, you are also matching your wits against those in the know. With the support of the Professional Footballers' Association, Premiership players have entered sides of their own, and on the opposite page is a look at how they have progressed.

All transfer queries regarding Interactive Team Football should be directed to 0171 757 7016. All other enquiries can be made on 01532 488 122.



Schmeichel will be dropped by Jones Boys Six for the FA Cup Final - surely a slap in the face for the Dane after his great work?

HOW THE SCORING SYSTEM WORKS IN ITF. All FA Carling Premiership and FA Cup matches in the 1995-6 season count for points. Every goal and penalty counts. Includes tables for Points Scored and Points Deducted.

HOW TO MAKE A TRANSFER IN ITF. Call 0691 333 331. Includes instructions on how to use the Touch-tone system and a form for making a transfer.

Table with 3 columns: Pos, Team, and Points. Lists the top 50 teams in the ITF league.

FIND OUT HOW YOUR TEAM IS DOING. Includes a graphic of a football pitch and instructions on how to check team performance.

THE LEADING 250 SELECTORS IN INTERACTIVE TEAM FOOTBALL. A large table listing the names and scores of the top 250 individual selectors.

LAW

CPS HITS BACK 31
LAW REPORT 33

Frances Gibb reports on the run-up to the first war crimes trial since Nuremberg



The defence team photographed in The Hague last week: from left, Alphons Orie, Sylvia de Bertodano, Michail Wladimoroff and Steven Kay, QC

A war trial for Bosnia

Today a Serbian former cafe owner stands accused of some of the worst atrocities arising from Bosnia's civil war. Dusko Tadic, who was also a karate teacher, is alleged to have indulged in an "orgy of ethnic cleansing" against Muslims and Croats in 1992 when he ran the Omarska prison camp in Bosnia. The indictment accuses him of taking part in the murder of 13 victims, including four who died at Omarska; of beating and mistreating 16 and of raping a woman. One prosecution document says that in June 1992 three prisoners were beaten by Mr Tadic and others "using metal rods, truncheons and knives to the point of unconsciousness. Mr Tadic then forced a fourth prisoner to drink motor oil. The prisoners died as a result of their torture."

His trial on charges of crimes against humanity, to which he pleads not guilty, opens today before an international tribunal in The Hague. It is the first such trial arising from the Bosnian conflict and the first war crimes trial since Nuremberg. The last of defending Mr Tadic is by an obscure and sensitive one. It has fallen to a defence team led by Professor Michail Wladimoroff, a renowned criminal lawyer with his own firm in The Hague which specialises in white-collar crime. With him is Alphons Orie, a partner in the firm Professor Wladimoroff & Spong, and Steven Kay, QC, a British barrister who is acting as consultant. Mr Kay, who has given up his position as secretary to the Criminal Bar Association to work at the war crimes tribunal over the next few months, says: "The issue in any 'not guilty' case is whether it can be

proved that someone committed the offence. Just because the prosecution say he did does not make them right." Over the past months, time has been spent working out the ground rules and seeking, as far as possible, to counter any prosecution bias. "The prosecution has drafted the rules of evidence and procedure with United Nations' advice. It is an example of how the State should not devise its own criminal justice system," he says. "I have had to argue basic issues - such as why the defence should not disclose its witness statements and fundamental principles about prosecution disclosure - and we still don't have all the prosecution witness statements."

There have also been practical problems. Mr Kay has found himself travelling through Bosnian villages to locate witnesses and documents; in effect doing the job both of investigator and prosecutor. He, and later Sylvia de Bertodano, the team's research assistant, spent many days interviewing people through interpreters. Many witnesses are not willing to come forward, fearful that they themselves might face war crimes charges. The team has asked the court to issue witness summonses, and has to rely on the court to put them into effect. Professor Wladimoroff and his firm have been underwriting the cost of the defence for months. By contrast, some 50 investigators have spent months and in some cases years researching the charges against Mr Tadic and others. The trial will take place in a specially built courtroom which includes cameras and interpreters' booths for simultaneous translation into English, French and Serbo-Croat. The public and press gallery will be behind bulletproof glass.

There are three judges: Sir Ninian Stephen, an Australian High Court judge; Judge Gabrielle McDonald, a US federal judge; and Datoe Vohrah, a Malaysian High Court judge. Up to 150 witnesses are expected to testify in Mr Tadic's trial. The prosecution is led by Grant Niemann, the Deputy Director of Public Prosecution for South Australia who has experience of prosecuting three suspected Nazi war criminals. The case is unlike many others in that Mr Tadic is a civilian. But it will be seen as a test of the tribunal's authority and will be closely watched by the others stacking up behind "Pavo" Hazim Delic and Zdravko Mucic, among others. Robert Rhodes, QC, has been appointed as defence counsel in these cases, the first English barrister to be presenting a defence. Whatever the outcome, the Hague tribunal must not be open to the criticisms that were levelled at Nuremberg. Mr Kay argues. Those were condemned as "show trials, not properly conducted or presented". It is important, he says, that "any person accused of such serious crimes is properly defended".

Dusko Tadic's trial will be seen as a test of the authority of the war crimes tribunal

A waiting game

WHEN Martin Mearns, he named in the June elections for president in the Law Society? Candidates are accepted until a rival slate is presented. Michael Napier, of the Sheffield firm law in Atchell, and president of the Association of Personal Injury Lawyers or Tony Gilroy, a long-standing central member who is now senior vice-president, and senior partner of the Maritime Firm Holdings. Both candidates have strong support on the council, but are more of an unknown quantity in the profession at large, where Mearns derives his support. One Law Society insider comments: "They are justified in standing and being defeated. But if they don't delay their colours soon, they won't have much chance to raise their flags to the profession."

Mearns for the second time if no one else is brave enough. New knowhow ANEW magazine European Council is to be launched today. It comes from the same stable as the highly regarded PLC, edited by Robert Dow and Josephine Carr. European Council will focus on in-house lawyers, who need to widen their knowledge of European law. If PLC is anything to go by, European Council should do well. Mind you, why the top law firms that contribute articles are so ready to give away their crown jewels has always been a mystery. WATCH out, Damon Hill: John Dedworth, an assistant solicitor at Macfarlanes, is fresh from his triumph at winning the inter-law firm governing competition at Battersea a few nights ago and is now ready to take on the world. Get your seat delivered faster by Macfarlanes, perhaps?

Football crazy DARRÉN BAILEY, one of the specialist sports lawyers at Towlines, was one of the first to give Glenn Hoddle a piece of his mind after the announcement that he is to take over the job of England coach. "You should come back to Chelsea," Mr Bailey said. "They need you more than England does." Mr Bailey is an interested party. As a teenager, he was an associate schoolboy at Stamford Bridge and still has a deep allegiance to the club. His view is that Terry Venables should have been encouraged to stay on as England coach so Chelsea could have kept Hoddle. Mr Bailey is now a qualified FA coach. He has no regrets about quitting football for the law. He may not earn as much as Ruud Gullit but at least he doesn't get kicked about the park every Saturday.

Anna Krajewska, a former director who now runs a financial public relations consultancy in Poland. Eastern eye PETER TAYLOR, a Southampton-based solicitor specialising in Eastern Europe, is speaking this morning at a conference organised by the local chamber of commerce to encourage more people to invest in the former communist countries. Joining him is SCRIVENOR

INNS AND OUTS



Napier: will he stand?

Beyond reasonable doubt, still a hit

Reginald Rose's play, *Twelve Angry Men*, is a classic test for students of trial by jury. The script is well known from Sidney Lumet's 1957 film in which Henry Fonda, as the eighth juror, tries to persuade his colleagues on a New York jury to consider the weaknesses in the prosecution case against a 16-year-old defendant on trial for the murder of his own father. The new production at the Comedy Theatre, directed by Harold Pinter, proves beyond a reasonable doubt that *Twelve Angry Men* retains its power to entertain and inform. The play provides reassurance about the potential virtues of jury trial, and a lesson in civic duty for any prospective juror wanting to know what is expected of him or her at the Crown Court. Kevin Whately gives a commanding performance as the eighth juror, whose integrity and commitment to justice educate the other jurors about their responsibilities. He asks his colleagues, who are eager to convict, "to vote by secret written ballot. I'll abstain. If there are still 11 votes for guilty, I won't stand alone. We'll take a guilty verdict in to the judge right now. But if anyone votes not guilty, we'll stay and talk this thing out." He finds that he has one ally, who is prepared to take time to examine the evidence. The debate then begins. A compelling cast of other jurors powerfully portrays a range of responses to the evidence, and to the prospect of sending the defendant to the electric chair, from the rationalism of Timothy West's logical fourth juror, to the racist bigotry of Peter Vaughan's chilling tenth juror. Reginald Rose's text echoes Anglo in Shakespeare's *Measure for Measure*, reminding us that "the jury, passing on the prisoner's life, may in the sworn 12 have a thief or two guiltier than him they try". Like the jury system it portrays, *Twelve Angry Men* is a passionate statement of basic liberal values: the triumph of reason over prejudice, the commitment to judging people (whether a defendant in a criminal trial, or the contribution of a potential juror) on their individual merits rather than by reference to their status or background, the recognition that the facts or values asserted by fallible human beings may be erroneous, and the confidence that free speech will expose and shame prejudice and improve the quality of decision-making. For all its powerful advocacy, *Twelve Angry Men* fails to establish the case for jury trial. But for the exceptional eighth juror, the defendant would have been convicted after five minutes of deliberations. Instead of Henry Fonda or Whately, the eighth juror might resemble one of the jurors at the

Crown Court case in Devon in 1994 who decided to use his Ojibwa background to convict the victim in an attempt to find out whether the defendant was guilty of murder. Lawyers have strong opinions about the merits and defects of trial by jury. But whether they agree with Lord Devlin that the jury is "the lamp that shows that freedom lives", or share Mark Twain's opinion that the jury puts "a premium upon ignorance, stupidity and perjury", such legal judgments are based on speculation rather than information. The manner in which the jury performs its duties in the United Kingdom is a matter of conjecture because of the absolute prohibition imposed by Section 8 of the Contempt of Court Act 1981 on any research which asks members of juries how they conducted their deliberations. Despite the recommendations from the Royal Commission on Criminal Justice and from the Law Commission for a change in the law to allow jury research conducted on behalf of the Lord Chancellor's Department, the senior judiciary is determined to prevent any light being focused on an institution which they appear to believe can survive only if protected from analysis. On the stage, what happens in the jury room echoes the drama, the tragedy, and the farce of a criminal trial. But we simply do not know how often the fiction of *Twelve Angry Men* resembles fact. It is therefore impossible sensibly to discuss proposals to restrict the scope of jury trial (for example, in relation to allegations of serious fraud), or concern about whether juries understand the complexities of judges' directions on issues of law when the conduct of the jury remains a mystery, the workings of which are hinted at by the anecdotes of friends who have participated in its ceremonies, or the efforts of dramatists and actors. It is one of the most remarkable features of a society timid about rational analysis of its institutions that there are stricter legal restraints on the publication of information about a jury's deliberations than there are on the publication of information which may endanger national security. Even under Section 8 of the Contempt of Court Act 1981, Pinter and his cast cannot be prosecuted for portraying the deliberations of a fictional jury. But they are undoubtedly guilty of conspiring to produce a compelling theatrical experience which all lawyers will enjoy. Whately and his colleagues have done justice to an inspired and inspirational work of legal literature. The author is a practising barrister and a Fellow of All Souls College, Oxford.



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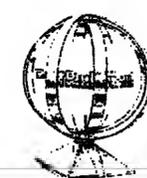
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The public deserves more

Neil Addison reports on the progress of the Crown Prosecution Service, ten years after its optimistic start

Ten years ago this month, the Crown Prosecution Service (CPS) started operation. At that time there was a sense of optimism and idealism within the legal profession. We were in at the birth of something new in the legal history, and had created a professional service that would be compared with the best in the world. Ten years on, the CPS is one of the most criticised parts of the legal system. While some of those criticisms are justified, there is enough to cause real concern.

prosecutions within his area. Despite this, the Government formed the CPS as a unified national service within the Civil Service. When everything else was being privatised, prosecuting was nationalised.

- It has a budget of just under £300 million.
- It handles 1.5 million cases a year in magistrates' courts, of which 126,000 go to the Crown Court.
- 12 per cent of its cases are discontinued.
- Its conviction rate is 90.3 per cent of all Crown Court cases, including guilty pleas.
- Its conviction rate in "not guilty" Crown Court cases is 58 per cent.
- It employs 6,500 people, of whom 2,200 are lawyers.

influence of local management and to make them obedient to CPS HQ and a new cult of "corporate loyalty". Any local initiative, any local ideas, have been stopped. Everything has now to be decided in London. The Italians used to have a...

working" destroyed teamwork and is typical of the Orwellian double-speak of CPS management. When the pilot branches protested that the scheme was unworkable, they were told that because it was CPS policy it had to work. If it did not work, it was their fault, it was their fault, it was their fault.

law enforcement and prosecuting decisions are simply legal but have implications for policing and law order generally. To make the CPS work fundamental changes were needed. The CPS should be under the Home Secretary, not the Attorney-General. TV ministers cannot both be responsible for law enforcement. The CPS magnitude should be broken up, with local chief prosecutors appointed each police force area. There should be no more inter-branch appointments. There should also be an independent body of inspectors comprising judges, magistrates, police and lawyers to inspect reports on prosecution standards. England and Wales deserve a better prosecuting service than it has. CPS staff do deserve better. Given their structure, given their leadership and a sense of purpose, they could not be the fault of management.



Neil Addison's article in Law last Tuesday; he should not be so dismissive of an organisation that makes the best use of its staff, says Graham Duff, above

After last week's criticism, Graham Duff leaps to defend the Crown Prosecution Service

For someone who was employed by the Crown Prosecution Service in the past, Neil Addison (Law, April 30) ought to know better. I have worked as a prosecutor at all levels, both before and after the establishment of the CPS, and I believe that it is worth reflecting on just how much we have achieved in our ten years of service.

Hit and myth with the CPS

Prosecuting has become more difficult. Increasing demands have been made, particularly in relation to the speed of case preparation, decision-making and the requirements of, for instance, disclosure. Against this background, prosecuting 1.4 million cases annually in 400,000 magistrates' courts' sittings is a substantial achievement just in logistical terms, apart from the very high conviction rate — 98 per cent in magistrates' courts and 90 per cent in Crown Court.

and influence, both within the service and outside, as it has now. The change from 31 to 13 areas reinforced the position of the branch and emphasised its accountability. Another change to 43 would not be decentralisation, as Mr Addison suggests — quite the reverse, when control and responsibility are already situated in 99 locations. The process continues: responsibility for certain types of casework which have historically, even before 1992, always been dealt with in London, is now about to be devolved to local offices.

barriers needed to be dismantled so that the effort of all the members of the branch would be better directed for the benefit of the casework. It is regrettable that Mr Addison is dismissive of an organisation that makes the best use of the skills and the knowledge of its staff. The CPS is not just 2,200 lawyers; there are, in addition, 4,000 staff who are not solicitors or barristers. Every single individual has an important contribution to make in a co-operative effort in all of the offices across England and Wales. Teamworking has also strengthened and brought closer the match with police basic command units.

another level of excellence to which the staff aspire above and beyond the conduct of prosecutions. Since 1992 greater openness has been a genuine feature of our approach. Of even more concern, as someone whose job it was to apply the Code for Crown Prosecutors, is his apparent failure to identify within it those elements which reflect an appreciation of the wider implications of prosecuting decisions.

Addison may recall featured significantly in the creation of the CPS. The system and the public benefit from the cohesive nature of the organisation and its catalytic effect on others. Unsurprisingly, recent initiatives, such as arrangements whereby police and CPS jointly monitor performance, focus on the CPS branch as the operational unit which best brings together the local interests.

The recent review of the senior management of the service has resulted in a slimming-down of both national and area headquarters, shorter lines of communication, more opportunities to guide policy decisions, and the impetus for even more devolution. We have decentralised, not centralised. We believe this is the best way of maintaining and improving upon the hard-won achievements of everyone at operational level. In an environment which is likely to remain volatile, the concept of a national service delivered locally provides the flexibility to meet challenges. Added to this is accountability for high quality standards and consistency, and the commitment to continue to improve the service to the public.

Partners fall out of step

Many law firms have voted to bring in a performance-related pay system

Many of the top City law firms are unhappy with the traditional way of paying their partners, according to a survey published today. But they are finding it difficult to put an alternative in place. The survey, by the consultants A.T. Kearney, shows that almost 60 per cent of leading law firms believe that performance-related pay is now appropriate for their equity partners. This is a slap in the face for the traditional "lock-step" system by which a partner's salary increases year on year — normally in a series of ten steps — regardless of merit or productivity.

lock-step to performance-based pay and that is why you need to be inventive in creating systems, which introduce elements of the new into the structure of the old.

One method he favours is to insert a "landing" into the lock-step. This means that equity partners can progress upwards for, say, five years until they reach a plateau at which they remain until they can demonstrate, through exceptional performance, that they merit moving up to the higher levels.

Some firms have already gone a long way towards a performance-related system. Dibb Lupton Broomhead, for example, could always be relied on to be the most radical of these matters. It has operated what David Liddle, the finance director, calls a meritocracy since at least the late 1980s. "Our performance-related remuneration system may," he says, "be a little unusual — but for us it reflects completely the firm's culture."

To make it work, however, requires a lot of measuring and judging. A remuneration committee, which is part of the firm's board of management, makes most of the decisions, although the overall package has to be approved by the partnership as a whole. In such a system each partner knows exactly what everyone else has earned and can see how the pecking order has changed year on year.

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Page
743-745

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Tariff period for minors unlawful

Regina v Secretary of State for the Home Department, Ex parte Venables, Regina v Same, Ex parte Thompson

Before Lord Justice Pill and Mr Justice Newman [Judgment May 2]

The Secretary of State for the Home Department had erred in applying the same practice in fixing the minimum period to be served to satisfy the requirements of retribution and deterrence to children detained during her Majesty's pleasure as was applied to persons subject to a mandatory life sentence.

The Queen's Bench Divisional Court so held when allowing applications by Jon Venables and Robert Thompson for judicial review to quash the decision of the Home Secretary on July 22, 1994 that the tariff period, the minimum period to be served by them to meet the requirements of retribution and deterrence, for the murder of James Bulger was fixed at 15 years.

The procedure in respect of mandatory life prisoners was that as soon as practicable after conviction and sentence the Home Secretary invited the trial judge and the Lord Chief Justice to recommend the tariff period. That was one factor among others which he considered before he fixed the date for the first review by the Parole Board which would normally take place three years before the expiry of the period necessary to meet the requirements of retribution and deterrence.

The Home Secretary announced on July 27, 1993 that the same practice in relation to mandatory life sentence prisoners applied equally to those detained during her Majesty's pleasure under section 53(1) of the Children and Young Persons Act 1933.

Section 53 of the 1933 Act, as amended by sections 1(5) and 4 of the Murder (Abolition of Death Penalty) Act 1965, provides: "(1) A person convicted of an offence who

appears to the court to have been under the age of 18 years at the time the offence was committed shall not ... be sentenced to imprisonment for life ... but ... shall ... be detained during her Majesty's pleasure and if so sentenced he shall be liable to be detained in such place and under such conditions as the secretary of state may direct."

Mr Edward Fitzgerald, QC and Mr Ben Emmott for Venables; Mr Brian Higgs, QC and Mr Julian Nunner for Thompson; Mr Kuldip Singh, QC for Associated Newspapers, Mirror Group Newspapers, The Independent, The Times, News Group Newspapers, Telegraph Newspapers and Express Newspapers, all interested parties.

LORD JUSTICE PILL said that on November 24, 1993 after a trial before Mr Justice Morland and a jury at Preston Crown Court, Jon Venables and Robert Thompson were convicted of the murder of James Bulger.

At the time of the offence the boys were aged 10½. They were sentenced to be detained under section 53(1) of the 1933 Act during her Majesty's pleasure. The sentence was in the circumstances mandatory.

By his decision letter of July 22, 1994 the secretary of state said that the trial judge had recommended a tariff period of eight years and had added that if the defendants had been adults the tariff would have been 18 years. The Lord Chief Justice had recommended the minimum of 10 years.

In the Home Secretary's view if the offence had been committed by an adult the appropriate tariff would have been in the region of 25 years. He said that for those reasons, having regard to all the circumstances including the age of the boys the tariff would be fixed at 15 years.

His Lordship considered that the central issue was whether the secretary of state was entitled to apply the same practice to the

present child applicants, subject to the discount for age, as if they were subject to mandatory life sentences.

The applicants submitted, inter alia, that it was unlawful to do so, that detention during her Majesty's pleasure was exclusively preventive and reformative when imposed on a child aged 11 and that the exercise of determining the adult tariff and then scaling it down was inappropriate.

Having reviewed the current legislation, his Lordship considered the legislative history of detention during her Majesty's pleasure. That history, in his Lordship's view, supported the suggestion that what Parliament contemplated was something different from what it contemplated by the term "life imprisonment".

The judicial sentence under section 53(1) of the 1933 Act was both mandatory and indeterminate but in his Lordship's judgment the nature of the sentence contemplated by Parliament in the expression "detention during her Majesty's pleasure" was that of a power but a duty in the secretary of state to keep the question of continued detention under review throughout the period of detention.

His Lordship acknowledged that the mandatory sentence of life imprisonment and the mandatory sentence of detention during her Majesty's pleasure had in common the fact that they followed conviction for the crime of murder the unique nature and gravity of which was recognised by the law. The two sentences were however different in concept and for the reasons, recognised by Parliament in the statutes, that special considerations arose when sentencing children and young persons.

Despite those special characteristics, a collective agreement had to be construed like any other, giving a fair meaning to the words used in the factual context, known to the parties, which gave rise to the agreement.

BA, at the date of that agreement could not be credited with foreknowledge of the specific problems to which his Lordship had referred, which included the effect of purring British Caledonian's most senior pilots, with many years of experience with aircraft types not previously operated by BA pilots, in a lower position than the most newly recruited direct entry pilots.

BA had in the past been involved with mergers. It knew of the

difficulties which could arise in relation to pilot seniority in that situation. It would be surprising if it intended to bind itself so as to be obliged to choose between accepting foreseeable absurd consequences and giving its pilots a right of *seniority*, if at all, only at a potentially high price.

It would be equally surprising if BALPA could have intended the result contended for by the plaintiffs. The union could scarcely have intended to make an agreement which could be seriously prejudicial to a substantial body of its members.

Overall, no doubt it would have wished to encourage any rationalisation of the industry which would lead to enhanced pay, prospects and employment for its members, but it would have been unlikely to have wished to prefer one substantial group of members at the expense of another.

From April 1, 1988 the British Caledonian pilots were certainly new entrants to BA if by that was

meant new employees. But in no sense were they new entrants to the Gatwick-based airline undertaking of British Caledonian which BA had taken over.

There was an obvious factual distinction between, on the one hand, recruitment of individual pilots or groups of pilots who had left other airlines to join BA and, on the other, the acquisition of a major airline undertaking with its facilities, aircraft, routes and workforce.

The judge had held that the agreement was to be construed in a way which did not reflect that distinction. With some hesitation, his Lordship differed. The appeal would be allowed.

LORD JUSTICE SIMON agreed and Lord Justice Hutchison delivered a concurring judgment.

Solicitors: Richards Butler; Charles Russell.

That requirement did not prevent the secretary of state forming an initial and provisional view as to what punishment and deterrence required which would be helpful in performing his later duties and he could take judicial advice before forming that view.

If the secretary of state formed a view as to what was required and thought it right in the interests of the public and of the defendant to publish that view, he should at the same time make it clear that it was a view as to the minimum length of sentence which would be kept under regular review.

The seriousness of the offence did not change but the concept of such detention required the secretary of state to keep under review a term which in the case of an adult offender subject to a mandatory life sentence could, save in exceptional circumstances, be treated as fixed.

It was inconsistent with the requirement to keep under review to fix a 15 year tariff at the beginning of a sentence on a child of 11. His Lordship considered that the requirement that there had to be exceptional circumstances if there was to be a change in the review date was inconsistent with the duty present in the form of detention.

The need to keep an open mind and to keep the whole question under review was stronger as the age of the offender at the time of sentence was younger.

When his Lordship said that the tariff of 15 years was inappropriate he was expressing a view not as to its merits by way of length but the lack of merit in fixing it when it was fixed.

The secretary of state, while needing to maintain public confidence, had to give regular and reasoned consideration of what was being achieved for the public good in the particular case.

Solicitors: John Howell & Co, Sheffield; Paul Rooney & Co, Liverpool; Treasury Solicitor; Sweepstone Walsh.

Judgment made over age is still valid

Regina v The Lord Chancellor, Ex parte Stockler

Before Sir Thomas Bingham, Master of the Rolls, Lord Justice Evans and Lord Justice Ward [Judgment May 11]

The prohibition introduced by the Judicial Pensions and Retirement Act 1993 against a retired High Court judge sitting after the age of 75 did not disentitle such a judge who was engaged in hearing an action when the Act came into force from completing the hearing and giving judgment.

The Court of Appeal so held, dismissing an appeal by Mr William Stockler from the Divisional Court (Lord Justice Staughton and Lord Justice Rouse) (The Times December 4, 1995) which had refused his application for judicial review of a decision of the Lord Chancellor inviting Sir Mervyn Davies, a former judge of the Chancery Division, to sit as a judge of the High Court in *Stockler v Moran* (unreported) after April 1, 1995.

Sir Mervyn Davies, who was born in 1918 and had retired in 1993, when the retirement age was 75, had been invited in November 1994, under section 9 of the Supreme Court Act 1981, to sit as a judge of the High Court from January 11 until February 24, 1995.

The action brought by Mr Stockler against Mr Moran overran and the judge was invited to sit from February 27 until March 31. As the case was still not completed the judge was invited on March 28 to sit from April 3 until he concluded the unfinished hearing and had given judgment. He delivered judgment on April 12.

Mr Stockler's argument was that the 1993 Act deprived the Lord Chancellor of power to appoint Sir Mervyn Davies as an acting judge of the High Court under section 9 of the Supreme Court Act 1981 with effect from March 31, 1995, when the 1993 Act came into force so that thereafter Sir Mervyn Davies lacked jurisdiction to sit and his judgment was a nullity.

Mr Michael Supperstone, QC and Mr Nigel Porter for Mr Stockler; Mr Ian Burnett for the Lord Chancellor; Mr Moran in person as an interested party.

THE MASTER OF THE ROLLS said that Mr Stockler's argument had a startling lack of merit. At the time both leading counsel were alive to the statutory position and there was no suggestion the judge should not complete the hearing. There would be an enormous waste of costs if there were to be a re-trial, from which only the lawyers would gain.

But Mr Stockler was entitled to take a technical point and if it were a good one the court would have to give effect to it.

His Lordship referred to a general purpose of the 1993 Act to introduce a new retirement age of 70 and to impose a general prohibition on judges sitting as such after the age of 75.

Section 26(1) laid down the overriding limit of 70. Section 26(7) provided: "After the day on which a person attains the age of 75, he shall not hold any relevant office nor shall he (a) be a member of the Judicial Committee of the Privy Council ... (b) participate in the hearing and determination of any appeal or petition for leave ... to the House of Lords; (c) act as a judge under or by virtue of section 9(1) of the Supreme Court Act 1981; (d) hold office as a deputy circuit judge ..."

"Relevant office" was defined in section 26(1) by reference to Schedule 5 which included deputy judges of the High Court, but not judges acting under section 9.

It was obvious that if the Act contained no transitional provisions there was a risk of gross inconvenience, wasted expenditure and injustice. One would expect provision to be made for that readily foreseeable situation.

Section 27 provided: "(1) Notwithstanding that a person has vacated or otherwise ceased to hold an office to which this section applies - (a) he may act as if he had not ceased to hold that office for the purpose of continuing to deal with, giving judgment in, or dealing with any ancillary matter relating to, any case begun before him before he ceased to hold that office; and (b) for that purpose, and for the purpose of any proceedings arising out of any such case or matter, he shall be treated as being, or, as the case may be, as having been a holder of that office ..."

LORD JUSTICE LEGGATT said that the defendant was the joint proprietor of a grocery store and off-licence and the spouse of the licensee. In the latter's absence he sold alcohol to a girl aged 14.

There was no evidence to support a master servant relationship. The defendant worked in the store rather than for it, his remuneration came from the business not from his spouse and in effect he was not "serving her" but "serving on her behalf"; a classic description of agency.

If the magistrates had not distinguished *Brandish v Poole* (1968) 1 WLR 544 which held, on very similar facts, that "servant" interpreted in its narrow sense did not include an agent, they could not have found the defendant guilty. The conviction was quashed.

Helper did not commit offence

Boucher v Director of Public Prosecutions

Where a person who sold intoxicating liquor in the absence of the licensee could not properly be described as a servant of the licensee holder no offence of selling alcohol to a person under age could be committed.

The Queen's Bench Divisional Court (Lord Justice Leggatt and Sir John Glidewell) so held on April 11 when allowing an appeal by way of case stated by Terry Reginald

rather than for it, his remuneration came from the business not from his spouse and in effect he was not "serving her" but "serving on her behalf"; a classic description of agency.

If the magistrates had not distinguished *Brandish v Poole* (1968) 1 WLR 544 which held, on very similar facts, that "servant" interpreted in its narrow sense did not include an agent, they could not have found the defendant guilty. The conviction was quashed.

LORD JUSTICE LEGGATT said that the defendant was the joint proprietor of a grocery store and off-licence and the spouse of the licensee. In the latter's absence he sold alcohol to a girl aged 14.

There was no evidence to support a master servant relationship. The defendant worked in the store rather than for it, his remuneration came from the business not from his spouse and in effect he was not "serving her" but "serving on her behalf"; a classic description of agency.

If the magistrates had not distinguished *Brandish v Poole* (1968) 1 WLR 544 which held, on very similar facts, that "servant" interpreted in its narrow sense did not include an agent, they could not have found the defendant guilty. The conviction was quashed.

Merger of airline pilots' seniority lists lawful

Adams and Others v British Airways plc

Before Sir Thomas Bingham, Master of the Rolls, Lord Justice Simon Brown and Lord Justice Hutchison [Judgment February 28]

British Airways did not act in breach of its contract of employment with its pilots when it merged with British Caledonian Airways Ltd in 1988. It inserted 300 British Caledonian pilots into its pilot seniority list on the basis of the seniority which those pilots had enjoyed with British Caledonian.

The Court of Appeal so held, allowing British Airways' appeal from Mr Justice Laws (The Times July 26, 1995) who had given summary judgment under Order 14A of the Rules of the Supreme Court, with damages to be assessed, in favour of the plaintiff pilots.

Under the plaintiffs' contract, which incorporated a collective agreement between BA and the

pilots' union, BALPA, pilot seniority was determined by reference to the date of a pilot's entry as a new entrant with BA, irrespective of previous experience, the new entrant joining at the bottom of the seniority list.

Mr Patrick Elias, QC, Mr Peter Wallington and Mr Nigel Porter for BA; Mr Andrew Hochhaus and Mr Martin Griffiths for the plaintiffs.

THE MASTER OF THE ROLLS said that where the meaning of an agreement was clear beyond argument the factual setting would have little or no bearing on construction but to construe an agreement in its factual setting was a proper, because a common sense, approach to construction, and it was not necessary to find an agreement ambiguous before following it.

On the facts here, it was a collective agreement which was incorporated into the contracts of the individual plaintiffs. Such an agreement had special characteris-

tics, being made between an employer on the one hand and a trade union, or union representative of the employees on the other, usually following a negotiation. Thus it represented an industrial bargain and probably a compromise between the conflicting aims of the parties.

Despite those special characteristics, a collective agreement had to be construed like any other, giving a fair meaning to the words used in the factual context, known to the parties, which gave rise to the agreement.

BA, at the date of that agreement could not be credited with foreknowledge of the specific problems to which his Lordship had referred, which included the effect of purring British Caledonian's most senior pilots, with many years of experience with aircraft types not previously operated by BA pilots, in a lower position than the most newly recruited direct entry pilots.

BA had in the past been involved with mergers. It knew of the

difficulties which could arise in relation to pilot seniority in that situation. It would be surprising if it intended to bind itself so as to be obliged to choose between accepting foreseeable absurd consequences and giving its pilots a right of *seniority*, if at all, only at a potentially high price.

It would be equally surprising if BALPA could have intended the result contended for by the plaintiffs. The union could scarcely have intended to make an agreement which could be seriously prejudicial to a substantial body of its members.

Overall, no doubt it would have wished to encourage any rationalisation of the industry which would lead to enhanced pay, prospects and employment for its members, but it would have been unlikely to have wished to prefer one substantial group of members at the expense of another.

From April 1, 1988 the British Caledonian pilots were certainly new entrants to BA if by that was

meant new employees. But in no sense were they new entrants to the Gatwick-based airline undertaking of British Caledonian which BA had taken over.

There was an obvious factual distinction between, on the one hand, recruitment of individual pilots or groups of pilots who had left other airlines to join BA and, on the other, the acquisition of a major airline undertaking with its facilities, aircraft, routes and workforce.

The judge had held that the agreement was to be construed in a way which did not reflect that distinction. With some hesitation, his Lordship differed. The appeal would be allowed.

LORD JUSTICE SIMON agreed and Lord Justice Hutchison delivered a concurring judgment.

Solicitors: Richards Butler; Charles Russell.

Annoyance by buskers need not be proved

De Cristofaro v British Transport Police

Before Lord Justice Pill and Mr Justice Newman [Judgment April 23]

Persons playing music for reward on London Underground could be prosecuted under a general misconduct bylaw even though the music was not annoying to members of the public.

The Queen's Bench Divisional Court so held when dismissing an appeal by way of case stated from the decision on June 23, 1995 of Mr J. G. Connor, Bow Street Stipendiary Magistrate, to convict the defendant, Franco de Cristofaro, of soliciting a reward without permission for playing a musical instrument at Piccadilly

station on the London Underground contrary to bylaw 22(2)(c) of the London Transport Executive pursuant to its powers granted under section 67 of the Transport Act 1962.

The defendant had been playing in concert with a number of other musicians at the foot of an escalator and passers by had dropped coins into an open drum case. Although the singer had also been shaking a tray of coins no request had been made for money.

Mr Tim Clark for the defendant; Mr Peter Ader for the prosecution.

MR JUSTICE NEWMAN said that the defendant had submitted that it had been wrong for the prosecution to have proceeded under the general misconduct provision of section 22(2)(c)

because the mischief of playing a musical instrument was catered for comprehensively and exclusively by bylaw 22(1) by which the playing of music was prohibited if it caused annoyance to the public. As long as the playing was not annoying the public then the object of that bylaw was met.

His Lordship rejected that contention and said that bylaw 22 was in its parts and subparts designed to prohibit all sorts of conduct the consequences of which were undesirable.

By expressly prohibiting the playing of music when it annoyed members of the public, the bylaws did not preclude the executive of London Underground from prohibiting music which was not annoying to the public but which

nevertheless, for other reasons, was undesirable.

Rejecting the defendant's further submission that, inter alia, soliciting required active conduct directed to obtaining a reward, his Lordship said that whether or not someone had been soliciting for reward had to be decided on the facts of each case.

In the present case the magistrate had been entitled to conclude that the defendant had been soliciting for reward.

LORD JUSTICE PILL, agreeing, added, inter alia, that there could be solicitation without an express request for money.

Solicitors: Thanki Novy Taube; Crown Prosecution Service, London.

European Law Report

Sex change dismissal discriminatory

P v S and Another
Case C-13/94

Before G. C. Rodriguez Iglesias, President and Judges J. N. Kouris, D. J. O. Edwards, J. P. F. P. Hirsche, G. F. Mancini, F. A. Schockweiler, J. G. Kapteyn, J. L. Murray, J. H. Ragnemalm and L. Sevón Advocate General G. Tesouro (Opinion December 14, 1995) [Judgment April 30]

The dismissal of a transsexual for a reason related to a sex change was precluded by the Community directive on equal treatment in employment.

The Court of Justice of the European Communities so held on a reference, by order of January 11, 1994, by an industrial tribunal sitting at Truro, for a preliminary ruling under article 177 of the EC Treaty on a question of interpretation of Council Directive 76/207/EEC of February 9, 1976 on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions (OJ 1976 L39 p40).

In 1991, the applicant, P, was engaged as a manager in an educational establishment operated by the second respondent, Cornwall County Council.

In April 1992 P informed the first respondent, S, the Director of Studies, of an intention to undergo gender reassignment, comprising a period of dressing and behaving as a woman followed by surgery to give the physical attributes of a woman.

In September 1992, P, after undergoing minor surgical operations, was given three months' notice of dismissal. The final operation was performed before

the dismissal took effect. P claimed to have been the victim of sex discrimination.

The industrial tribunal found, inter alia, that the reason for the dismissal was P's proposal to undergo gender reassignment; that under English law P was still deemed to be male, and the situation was not covered by the Sex Discrimination Act 1975, which applied only where a man or a woman was treated differently because he or she belonged to one or other of the sexes; and that if P had been female before the gender reassignment, she would still have been dismissed on account of the operation.

The question referred, as construed by the Court, was whether, having regard to the purpose of Directive 76/207, article 3(1) precluded dismissal of a transsexual for a reason related to his or her gender reassignment.

Article 5 provides: "(1) Application of the principle of equal treatment with regard to the conditions, including dismissal, governing men and women shall mean that men and women shall be guaranteed the same conditions without discrimination on grounds of sex."

In its judgment the Court of Justice held:

The purpose of the directive, according to article 1(1), was to put into effect in the member states the principle of equal treatment for men and women, as regarded, inter alia, working conditions, and inter alia, provided that that article 3(1) provided that there was no discrimination whatsoever on grounds of sex, either directly or indirectly.

The third recital in the preamble to the directive stated that equal treatment for men and women

constituted one of the objectives of the Community, in so far as the harmonisation of living and working conditions while maintaining their improvement was to be furthered.

The United Kingdom submitted that to dismiss a person because he or she was a transsexual or had undergone a gender reassignment operation did not constitute sex discrimination for the purposes of the directive and relied in particular on the finding that the employer would also have dismissed P if P had previously been a woman and had undergone an operation to become a man.

In *Rees v United Kingdom* (Essentially IT 1, 1986; Series A, No 106, paragraph 38) the European Court of Human Rights had held:

"The term 'transsexual' is usually applied to those who while belonging physically to one sex feel convinced that they belong to the other; they often seek to achieve a more integrated, unambiguous identity by undergoing medical treatment and surgical operations to adapt their physical characteristics to their psychological nature."

"Transsexuals who have been operated upon thus form a fairly well defined and identifiable group."

The principle of equal treatment for men and women to which the directive referred in its title, preamble and provisions meant, as articles 2(1) and 3(1) in particular indicated, that there should be no discrimination whatsoever on the ground of sex.

Thus, the directive was simply the expression, in the relevant field, of the principle of equality, which was one of the fundamental principles of Community law. Moreover, as the Court had

repeatedly held, the right not to be discriminated against on the ground of sex was one of the fundamental rights which those whose observance the court had a duty to ensure.

Accordingly, the scope of the directive could not be confined simply to discrimination based on the fact that a person was of one or other sex.

In view of its purpose and the nature of the rights which it sought to safeguard, its scope was also such as to apply to discrimination arising, as in the present case, from the gender reassignment of the person concerned.

Such discrimination was based, essentially if not exclusively, on the sex of the person.

Where a person was dismissed on the ground that he or she intended to undergo, or had undergone gender reassignment, he or she was treated unfavourably by comparison with persons of the sex to which he or she was deemed to belong before undergoing gender reassignment.

To tolerate such discrimination would be tantamount, in regard to such a person, to a failure to respect the dignity and freedom to which he or she was entitled, and which the Court had a duty to safeguard.

Dismissal of such a person must therefore be regarded as contrary to article 5(1), unless it could be justified under article 2(2): there was no material before the court to suggest that that was so in the present case.

On those grounds, the Court of Justice ruled:

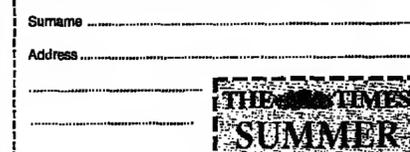
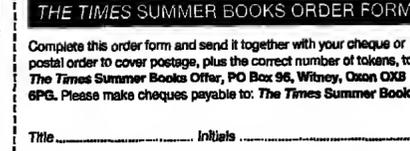
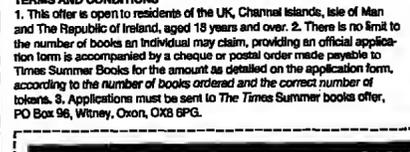
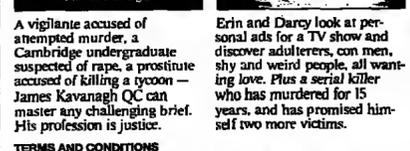
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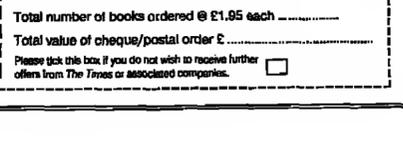
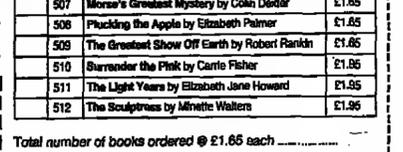
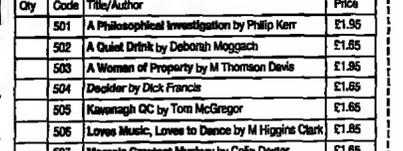
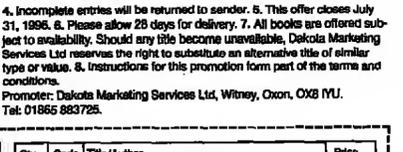
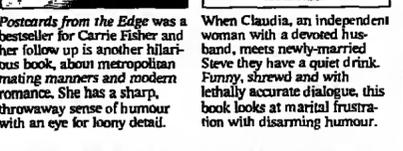
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Georgia on their minds

Alan Jabez meets a couple whose sporting prowess has spawned a successful company



Tried and tested: Alistair and Marianne Wilson use their own paddles while canoeing off Ailsa Craig

Help on industrial relations comes in a new series of Factsheets for Small Firms, outlining employment law topics. They cover dismissal, redundancy, suspension, maternity rights, itemised pay statements, racial discrimination, sex discrimination and equal pay, time off work, trade union membership and employment terms. They can be ordered singly or as a set from DTI Small Firms Publications, 0171-510 0169 (fax: 0197).

Business Networking-Essex, a three-day event to help smaller manufacturing and service companies to win orders by exhibiting and having pre-booked meetings with targeted clients from Britain and abroad, is at Brentwood International Centre from May 21. It is co-ordinated by Essex Economic Development Forum (01245 450123).

Self-employed builders, seen as high-risk customers by insurers, are being offered life assurance for ten years with a minimum premium of £5 a month. The policy, from B&CE Insurance, requires answers to three questions but no medical, does not discriminate against smokers and gives £56,000 maximum cover. Details: 0345 714714.

Advice on importing is offered by John Wilson, a trade consultant, in *Getting Started in Importing* (Kogan Page, £9.99), aimed at firms that import goods to use or retail, as well as at import firms.

Tony Beechey, chairman of the British Marine Industries Federation, is now chairman of Surrey Tec.

WHEN Alistair and Marianne Wilson competed in the sprint canoeing competitions at the 1994 Tokyo Olympics, they both took away memories they will savour for the rest of their lives.

They believe their efforts in reaching the pinnacle of their sport have also helped them to achieve success in their paddle-making company and hope to steer a profitable course at this year's Olympic Games in Atlanta, Georgia.

They formed the company, Lendal Products, in 1971, in Mr Wilson's home town of Prestwick, near Ayr. Mr Wilson had always enjoyed using his hands and thinking of new designs so he saw it as a natural progression to design his own paddle. As the design of the paddle plays a big part in its performance, he felt his own experience in the sport gave him ideas other canoeists would appreciate.

Originally, all the components were wood and it would take several days to make one paddle. But they took off and news of their performance spread around the canoeing world and soon exports overtook demand from Britain. Their innovative instincts result-

ed in fibreglass shafts and carbon composite blades and they later became the first company to mould a grip into the shaft to cut weight. As demand grew, Mr Wilson designed and built a tube-making machine at their factory. The change in working practices means they can now turn out a new paddle every few minutes. With the sport still enjoying growing popular-

ity, they are now making about 10,000 paddles a year, with the United States their biggest market overseas. They also made a further 10,000 shafts for other paddle-makers. In addition, the extra-light shaft tubing is attracting interest from other industries. As the company's products become more popular, the Wilsons are thinking of expansion. "We have doubled production in the last three years and have very little spare capacity," said Mr Wilson, who feels they may be shortly forced to seek larger premises. Expansion has mainly been financed via profits though they received an innovation award from the Scottish Office in 1994 which gave them 50 per cent of their capital costs to make thermal plastic blades.

Cry for help in the procurement process

By Rodney Hobson

SMALL and medium-sized businesses are being shut out of public procurement, according to a research report by the Chartered Association of Certified Accountants.

The report argues that a range of government initiatives, including incentives and subsidies, is required to encourage small businesses to take part in the public procurement process.

Small businesses are overwhelmingly in favour of legislation to help them to win public contracts, the report says. They are confused about current regional policies at European and national level and most believe the Government has a responsibility to help them in public markets.

Although small and medium enterprises represent 64 per cent of European Union turnover and 70 per cent of the workforce, their share of public procurement schemes is only 15 per cent, and only 14.3 per cent in the UK.

The report's author is Christopher Bovis, deputy director of the Institute of European Public Law at the University of Hull. He argues that encouraging more small businesses to take part in public procurement would bring social and economic benefits.

He describes the low level of participation as alarming, since public procurement schemes represent an important and relatively

stable market. His research identified a number of factors inhibiting small businesses: the length of time and cost of preparing bids with no guarantee of success; scarce management resources; inability to speak foreign languages; delays in payments; the relatively large size of the contracts; lack of information and advice.

Small firms suggested several ways to offset the disadvantages, including giving small businesses preference in disadvantaged areas.

Authorities could be obliged to split up contracts or successful tenderers could be forced to subcontract a percentage of the work.

The report suggests that the role of the Board of Trade and chambers of commerce in providing technical assistance and support to small businesses could be strengthened.



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SECRET - Unlimited, 100 units, 100 units. Reply to Box No 5710

BUSINESS SERVICES

A BASE to Marble Arch, 100 units, 100 units. Reply to Box No 5711

ANY VALID Debt recovered for, 100 units, 100 units. Reply to Box No 5712

A PRESTIGIOUS Business, 100 units, 100 units. Reply to Box No 5713

BAKERIES Association of, 100 units, 100 units. Reply to Box No 5714

BUSINESS & Marketing, 100 units, 100 units. Reply to Box No 5715

CHANGES CASHED in, 100 units, 100 units. Reply to Box No 5716

DISCREET BUSINESS AND, 100 units, 100 units. Reply to Box No 5717

DISCREET BUSINESS AND, 100 units, 100 units. Reply to Box No 5718

DISCREET BUSINESS AND, 100 units, 100 units. Reply to Box No 5719

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DISCREET BUSINESS AND, 100 units, 100 units. Reply to Box No 5740

DISCREET BUSINESS AND, 100 units, 100 units. Reply to Box No 5741

IMPORT & EXPORT

G.S.M Cellular telephones, 100 units, 100 units. Reply to Box No 5742

WORLDWIDE, 100 units, 100 units. Reply to Box No 5743

WORLDWIDE, 100 units, 100 units. Reply to Box No 5744

WORLDWIDE, 100 units, 100 units. Reply to Box No 5745

WORLDWIDE, 100 units, 100 units. Reply to Box No 5746

WORLDWIDE, 100 units, 100 units. Reply to Box No 5747

RESULTS AND STATISTICS

TODAY

Interims: British Patrolam (Q1), British Sky Broadcasting (Q3), Neilson Cobbold Holdings, Premium Underwriting, Schroder Income Growth, Strategic Group, Finais: Chiroscience Group, Gieves Group, Montanaro UK Smaller Companies Investment Trust.

TOMORROW

Interims: Avon Rubber, Ericsson (J4), Holmes & Marchant Group, Royal Bank of Scotland, Sanderson Electronics, Tate & Lyle, Titan Holdings, Finais: Beattie (James), DCC, German Smaller Companies Investment Trust, Govett Oriental Investment Trust, Navan Resources, Nynex Cablecomms, J Sainsbury, Saracen Value Trust, Securities Trust of Scotland, Sidlaw Group, Whitbread. Economic statistics: CBI-BSL quarterly regional trends survey, monthly monetary meeting between Kenneth Clarke, Chancellor of the Exchequer, and Eddie George, Governor of the Bank of England.

THURSDAY

Interims: Capital Radio, Clyde Blowers, Irish Bank Corporation, Lynx Holdings, Royal Dutch/Shell (Q1), Royal Insurance Holdings (Q1), Tomkins, Vaux Group, Finais: N Brown, Pwotting, Scottish Power, Silentnight Holdings, Uglund International, Warner Howard. Economic statistics: Index of production (March).

FRIDAY

Interims: None scheduled. Finais: Audax Properties, BS Group, Hawtel Whiting Holdings, ISS UK Smaller Companies, Valua & Income Trust. Economic statistics: CBI monthly distributive trades (April), cyclical indicators (April).

SUNDAY TIPS

Mail On Sunday: Bay Royal Doulin, Beauford, Wyndham Press; Sell La Senza, Sunday Times; Buy Cookson, Streamliner, Chiroscience, Rank Org; Hold Wates; Sell Cable and Wireless, Chesterton. Independent on Sunday: Buy Camella, Bata, City Technology, Sage; Hold Smith and Nephew; Sell Soma, Kwik Save. Sunday Telegraph: Buy SmithKline Beecham, Hewson, Pelican, Tamaris, Cavendish; Sell Courtauld.

COMPANIES PHILIP PANGALOS

Store wars focus on Sainsbury

J SAINSBURY: Tomorrow's full-year results will be watched closely for the latest news on current trading and any update on a much needed marketing campaign as the supermarket group battles for market share.

There have been fears that Sainsbury is lagging behind leading competitors as the food price wars rage on and rival supermarket groups fight it out for customer loyalty. Lower full-year profits are widely expected after the group shocked the City in January by effectively issuing a profits warning, priming the market for its first profits fall in 20 years as a public company.

Nick Bubb, of Mees Pierson, has pencilled in final pre-tax profits of £770 million, down from £808 million last time. Market forecasts range from £750 million to £770 million. A dividend of 12.4p (11.7p) is predicted.

Attention will focus on like-for-like sales growth, which has been flat and is seen as lagging behind major competitors such as Tesco, Sainsbury and Asda.

BRITISH PETROLEUM: Buoyant crude oil prices and a cold winter will provide a boost to this week's profit figures from the two leading oil giants, with BP reporting first-quarter figures today and Shell, its Anglo-Dutch rival, due to report on Thursday.

Both are expected to show a downturn on their chemical businesses from last time, while refining and marketing are likely to be mixed. Higher crude prices should offset the damaging effects of the recent price wars waged on the garage forecourt, with BP expected to see a 13 per cent rise in first-quarter clean replacement cost net income to £522 million (£461 million), according to Nick Antill, of BZW.

A dividend of 4.5p (3p) is predicted. Mr Antill is using a crude oil price of \$17.90 a barrel in his calculations, against \$16.72 a barrel in the comparative period.

SHELL TRANSPORT & TRADING: BZW expects the higher oil price and cold winter to help Shell's clean replacement cost net income, due on Thursday, to advance to £1.32 billion (£1.24 billion) in the first quarter. However, Mr Antill expects earnings at Shell to be affected by a deregulation-driven petrol price collapse in Japan, where it is one of the largest refiners.

ROYAL BANK OF SCOTLAND: The bank, of which George Mathewson is chief executive, has braced the City for a less spectacular performance from Direct Line, the phone insurance business founded by Peter Wood, which has come under increasing competition



Peter Wood, founder of Direct Line, and George Mathewson, of Royal Bank of Scotland.

from copy-cat operations. However, falling bad debt provisions should offset that and help to lift first-half profits, due tomorrow, to £295 million (£270 million), according to UBS. Market forecasts range from £257 million to £300 million. UBS predicts a dividend of 5.3p (4.6p).

Market attention will focus on results from Direct Line, which in previous years has been one of the main drivers behind profits growth. Analysts expect profitability at the unit to be dented by an increase in claims because of extreme weather in the period

and a fall in premium levels as competition in the sector intensifies.

BRITISH SKY BROADCASTING: The satellite television group, which is 40 per cent owned by News International, owner of *The Times*, will today beam in results for the third quarter of its financial year.

Steady progress in new dish and cable connections has been achieved and advertising is moving in the right direction, although the cost of programmes is rising. UBS, hoping for news on

proposed European investments with the results announcement, expects to see a 40 per cent jump in pre-tax profits to £69 million.

TATE & LYLE: Tomorrow's first-half profits from the sugar to sweeteners group are likely to show evidence of a poor performance from Staley, the US sweeteners business. Staley, the main profits driver, will have found the going tough, with operating profits forecast to fall by up to 30 per cent as it feels the effects of higher raw material costs, increased industry capacity and the competitive state of the US corn syrup market.

Tim Potter, of Merrill Lynch, has pencilled in interim pre-tax profits of £158 million (£165.4 million), although last time's figures included a £12.6 million exceptional reorganisation charge. Market forecasts range from £157 million to £160 million. A dividend of 5.2p (5p) is predicted.

WHITBREAD: The brewing to leisure group is expected to report a modest rise in its full-year profits tomorrow, with the UK Marriott Hotels and David Lloyd Leisure operations providing the real engine for growth.

UBS is looking for final pre-tax profits of £276 million (£255 million), with a dividend of 21.3p (20.2p) predicted. Market forecasts range from £275 million to £287 million. Analysts expect the 16 Marriott hotels and the David Lloyd Leisure health and sports club businesses to add a combined £10 million to profits.

They also expect the Whitbread Inns division to show double-digit profit growth even though Christmas and New Year's Eve both fell on a Sunday, discouraging the traditionally high number of pub-goers.

N BROWN: The home shopping retailer that last November launched an unsuccessful bid for Linwoods, in conjunction with Iceland, should report a solid set of full-year figures on Thursday.

Tony Shire, of BZW, the house broker, forecasts an advance in final pre-tax profits to £30.5 million (£26.5 million), with a dividend of 5.5p (4.8p) predicted.

ECONOMIC OUTLOOK

Rates top the agenda for Chancellor

The potential for an interest rate cut will be the main economic talking point this week as Kenneth Clarke, the Chancellor, prepares to meet Eddie George, the Governor of the Bank of England, at their crucial monthly meeting tomorrow.

With recent economic data suggesting that gross domestic product (GDP) growth is below trend and that the manufacturing sector is on the verge of recession, economic and political demands for a rate cut have been growing. But the Governor is likely to point to other data showing that consumer spending is beginning to take off, which normally results in higher inflation and a deterioration in the trade deficit.

A rate cut could come as early as Thursday, but the Chancellor may well feel it would be risky to reduce rates now, only to have to reverse the cuts shortly before the general election. The meeting will overshadow an otherwise quiet week for economic statistics, although the data is expected to confirm the increasingly divergent nature of the economy. On Thursday, the UK industrial production figures are expected to show only a very slight upturn in manufacturing output, with a forecast 0.2 per cent rise for March taking yearly growth to 0.4 per cent.

But industrial output as a whole is expected to remain weak, with the market predicting no growth in March and just a 0.3 per cent rise for the year. In contrast, further evidence of the strength of Britain's retail sector is expected to be provided by the Confederation of British Industry's distributive trades and cyclical indicators, which are published on Friday.

In the US, the focus will be on the possibility of further rate increases as the consumer credit figures are published today. The figures are expected to show steady growth at \$11.5 billion for March.

On Wednesday, the Federal Reserve Bank will offer evidence of how it views the state of the US economy with the publication of its Beige Book. The book should provide a clue to the Fed's thinking ahead of the Open Market Committee Meeting on May 21. Economists believe that the Fed will leave interest rates untouched at the meeting but the Beige Book should help clarify the Bank's medium-term thinking over the conflicting data emerging from the US economy. But the US Producer Price Index (PPI), published on Friday, is expected to show little movement, with a monthly gain for March of 0.5 per cent matching a similar rise in February. The yearly rate is predicted to rise 0.2 per cent from February to 2.6 per cent. Any rise in the PPI above the forecasts will prompt fears of inflation.

ALASDAIR MURRAY

Nabarro woos friends in north

By Jon Ashworth

NABARRO Nathanson, the fast-growing commercial law firm, unveils a £2 million centre in Sheffield today as part of a concerted drive to woo big business in the north of England. The London firm has closed its regional offices in Doncaster and Hull and expanded its Sheffield operation to form the new National Centre for Law in Industry.

The move reverses the trend set by regional firms such as DIBB Lupton Broomhead, which have expanded aggressively into the London market.

Richard Holt, partner in charge of the new centre, said: "We looked at ourselves in the north and found we had particular skills in environmental issues, dealing with trade unions and so on. The centre enables us to provide concentrated legal expertise to manufacturers in the region, as well as the UK as whole."

Nabarro has organised 200 partners and fee earners into industry-based groups covering areas such as environment, health and safety, intellectual property and pensions.

The centre is aimed at manufacturing companies in the minerals, chemicals, pharmaceuticals and engineering sectors. Clients include RJB Mining, inherited through a merger with British Coal's legal department in 1989. The firm also acts for financial services companies such as HSBC and Eagle Star, manufacturers including Coats V-yella and Blue Circle, and retailers ranging from J Sainsbury to Body Shop.

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Market's capitalisation tops £3 billion

THE flood of entrants looking to join the Alternative Investment Market for smaller and growing companies is set to continue this week, while share turnover levels reached new peaks last week and the market's capitalisation topped £3 billion for the first time.

David Abrahamson, a dealer at Winterford Securities, a market-maker in all AIM stocks, said: "Turnover levels last week were at the highest levels we have seen since AIM began. Bargain figures have been about 20 per cent up on their previous highs."

The number of companies traded on AIM has grown to 142, compared with just 142 listed when the market started on June 19 last year. Capitalisation has expanded to £3.08 billion, while a total of £260.7 million has been raised.

La Senza, the specialist lingerie and sleepwear retailer, last week unveiled plans to join via a £19.4 million placing on Wednesday by Williams de Broek in a 150p share issue, capitalising the group at £50.3 million. The company has 22 lingerie shops across the UK and a five-year plan for a further 152 outlets. Mr Abrahamson said: "The issue has been oversubscribed by at least two times. We expect a premium of about 25p to 30p over the 150p placing price."

CA Courts, the packaging company, is also expected to see a premium of between 25p to 30p over its 105p-a-share placing price when dealings begin on Thursday.

Gold Mines of Sardinia plans to float in early June. A placing, sponsored by Williams de Broek, will raise about £5.5 million, capitalising the group at about £20 million.

Pricing details are due this week from Whitecross Group, a London chain of six high street dental practices. Whitecross hopes to raise about £1.5 million through a placing, capitalising it at about £6 million. It plans to use the proceeds to open ten new dental practices over the next three years. Dealings should begin on May 17.

Waterfall Holdings, the snooker pool clubs group in which First Leisure has a 25 per cent stake, enjoyed a healthy debut on AIM last week. The shares swiftly moved to a big premium over the 45p placing price, touching 57p at one stage, before slipping back to end the week with a more modest premium.

ALTERNATIVE INVESTMENT MARKET															
1996	High	Low	Mkt cap (million)	Price	Wtdy +/-	Yld %	P/E	1996	High	Low	Mkt cap (million)	Price	Wtdy +/-	Yld %	P/E
134	109	18.10	AMCO Corp	127	+ 8	4.4	14.0	95	85			85			
58	18	2.37	Abacus Recruit	43				46.00	10	15.00	10	4p			
128	120	22.00	Active Imaging	120	- 15			1.45	London Town	58	+ 3				
140	123	20.60	A de Gracy	140	+ 1	5.0	11.6	245	200	245			1.8		
104	74	1.50	Alcan Gold	104				25	17	17			2.4	23.0	
24	13	5.20	Alphacore & Bd	14				135	113	113					
24	17	9.44	Alpha Omakro	18	+ 1			117	92	92					
415	380	37.30	Ann St Brewery	380		5.8	11.7	99	79	79					
895	865	5.80	Ann St Pl	865		8.9		111	86	86					
121	83	66.10	Antarox	99	- 5			475	125	106.60	Merrory Corp	180	+ 20	3.0	
9	8	1.88	Anon Progs	8				22	20	20					
88	68	14.10	Asst Central	68	+ 15			235	156	156			2.4	23.6	
104	88	1.08	Asst Hdg	88				15	10	10					
6	5	6.02	Ballyvaughan	5				89	87	87					
20	17	5.13	Banks Hldgs	20	+ 1			340	285	285			2.8	14.0	
46	43	3.85	Belcaro	43				210	175	175			4.3		
150	140	0.99	Bentley Leis	145		3.0		255	235	235			2.1	17.2	
70	70		Bowen Letc Co Pl	70				365	200	200			1.3	18.5	
66	50	11.40	Brantec Hdg	66	+ 3			73	63	63					
355	240	41.90	Brookbank	355		2.6		73	63	63					
125	115	17.50	Brookbank	120				76	65	65					
110	110	0.13	CCI Founder Sls	110				8	8	8					
185	95	5.09	Cale Ins	178		1.4	14.6	70	53	53			1.3	33.1	
137	55	3.77	Canalway Ltd	55			7.9	116	111	111					
96	78	2.07	Capitol Wln	78	+ 2			124	124	124			1.4		
63	58	15.30	Card Clear	68	- 2			135	84	84			10.5		
127	60	3.30	Casidy Bros	62		6.0	8.8	68	51	51					
141	141	1.25	Cast Management	141				133	101	101					
18	18	5.28	Celebrated Bomp	18				85	43	43					
5175	6550	42.90	Celtic Pl Sls	5165	+2000			109	174	174			6.5	31	
1175	6450	1.51	Central Pl Sls	6450	+1500			159	150	150					
124	109	16.40	CI Comm/IV	122		2.5	15.7	445	365	365			3.4		
86	62	7.04	Charwell Intl	66	- 2			169	125	125					
110	110	0.99	Clear Homes	110				470	400	400					
115	28	13.00	CluPartners	28				105	105	105					
510	510	12.20	Com de Pl Fin	510				38	32	32			4.1	22.8	
44	37	8.76	Concater Tsl	40		5.0	10.0	105	95	95					
88	78	15.30	Country Edns	83	- 2	2.1		17	16	16					
78	70	2.88	Coxy Gals Pl	78	+ 2	8.5		76	63	63					
109	87	31.30	Cross Intl	87	+ 2			4	3	3					
63	63	22.00	Crown Products	63		3.7	8.2	19	19	19					
210	152	13.70	CS Management	152				31	30	30					
36	34	3.79	Dalsh Intc	35				31	30	30					
70	63	13.70	David Glass	70	+ 4	5.1	10.0	43	28	28					
1275	860	57.20	Dawson Hldgs	1230		3.0	33.6	320	270	270					
125	111	1.25	DCI Holdings	145		1.8		3	2	2					
375	305	35.90	Dawson	350	+ 10			3	2	2					
76	60	12.60	Demtek	68				4	3	3					
137	98	12.50	Delta Foods	98	- 10			1	1	1					
700	103	69.80	Electropharmics	108				595	520	520			3.4	15.3	
125	120	5.40	Euro Sales Fin	120				68	50	50					
345	325	5.77	Fid Pals	345				615	255	255					
260	15	1.25	Fid Pals	245				86	75	75					
188	55	10.30	Finesse	62	- 10			215	122	122					
183	178	36.10	First Inter	178		1.5		915	585	585					
220	188	5.51	Flemings	215	+ 5			185	180	180					
343	253	7.86	Floral St	338	+ 5	0.4	15.4	185	180	180					
193	136	17.70	Fomrocun	168	+ 5	1.5	21.9								

Backing for News Corp film studio

RUPERT MURDOCH, chairman and chief executive of The News Corporation, parent company of The Times, yesterday won government approval to open a \$121 million (£64 million) Twentieth Century Fox studio at Sydney's historic showground site.

Live-in bridge over Thames wins support

PLANS for an inhabited Thames bridge, with flats, restaurants, shops and a museum, are receiving an enthusiastic response from builders and property developers.



Water works: the construction would span the Thames beyond Waterloo, the furthest crossing point in this picture

Pools firm sues past directors

Littlewoods, the pools to stores group that is Britain's biggest private company, is taking legal action against several former directors, including Sir Desmond Picher, former vice-chairman and chief executive.

BA expansion

British Airways has extended its franchise operations beyond the UK. Jetstream commuter aircraft of Sun-Air, the Danish regional airline, will bear BA livery and flight numbers.

Sheffield deal

Sheffield Forgemasters, the engineer, has completed a £70 million secondary buy-out. Causeway Capital, backer of 1988's buyout, is selling its stake, under pressure from funds' end dates.

Smokeless cigarette filters into market

A MARKET trial of a smokeless cigarette developed in the United States will be announced in Germany and Sweden today. The carbon-tipped brand is being promoted by R.J. Reynolds Tobacco Co. as reducing second-hand smoke by nearly 90 per cent.

LOOK the for floor

ALL-STAR

Table with columns for company names and stock prices. Includes entries like AMP Inc, AMR Corp, AT & T, etc.

Let there be light.

Large advertisement for light bulbs featuring the text 'Let there be light.' and a glowing light bulb image.

CHESS

Table showing exchange rates for various currencies like Australia, Belgium, Canada, etc.

WORLD WATCHING

Answers from page 25. SIMCHAH (b) A Jewish private party or celebration. From the Hebrew simha rejoicing. Jewish Chronicle, 1973: 'Arkay caterers. Specialists in home, hall and marquee catering for all simchahs.'

Advertisement for McKenna & Co. featuring the text 'Light may travel at 186,000 miles a second. But it can come to a standstill when it hears words like "Tunnel".' and the McKenna & Co. logo.

The Scottish Institution

SOLUTION TO WINNING CHESS MOVE. Ng6! fig6 2 h3 and the queen is surrounded.

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Misrule was right on target for the holiday

The standard kitbag issued with a Bank Holiday Monday contains assorted clothing from swimwear to umbrellas, fractious children and queues of cars driven by red-faced males shouting "we're never doing this again" at regular intervals. You should have stayed at home: there was a cracking yarn on the telly.

BBC1 is good at these Bank Holiday one-offs, but it rarely succeeds as spectacularly as it did last night. *Lord of Misrule* broke no new ground, left no stereotype unexploited, unerringly hit every obvious humour target. It was, in short, wonderful.

The omens were good. It starred Richard Wilson and Prunella Scales and was written by Guy Jenkin, whose previous credits include *Top of the Dead Donkey* and *A Very Open Prison*. This went further than either of those, mixing drama, comedy, satire and slapstick.

Jenkin's strength is that he plots as well as he writes. *Lord of Misrule* is about Bill Webster, a retired Lord Chancellor (Wilson) whose memoirs contain enough dirt to bring down the Government. This dirt includes a photograph of "Charles and Camilla", whoever they might be ("I didn't know Charles had a tattoo").

Webster has spent a lifetime in politics: "42 years in a janitor full of maggots struggling to be the one nearest the lid." He now lives in a crumbling Cornish pile near a village full of crumbling fishermen: *Lord of Misrule* was filmed in Fowey and the title refers to a fictitious carnival practice whereby a local idiot gets to run the village for a day. But not all the *misrule* is local.

To pay for repairs to his home, Webster intends to sell the political dirt to a tabloid. The Government gets wind and sends its Min of Ag and Fish Scales, to talk Webster

round. Meanwhile offshore, a fishing boat has picked up £500,000 worth of cannabis which the village proceeds to sell over the bar in "special brownies" at £2 each.

Thus the scene is set for a race to buy the memoirs from Webster. Into the village, which is now full of people high on cannabis, come a tabloid reporter and his editor with £500,000 in used notes and the Prime Minister, no less, with an equal sum aimed at buying Webster's silence over an "incident with a boy or girl" in Singapore.

As scene in which the tabloid editor and the Prime Minister wrestle in a filthy duff pond is glorious slapstick, though other cameos are just as effective: Angus Deayton plays the head of MIS, whose hobby is hitting golf balls off the roof of his office aimed at glass-topped Thames pleasure boats full of Japanese tourists.

REVIEW



Peter Barnard

Extracts from Webster's memoirs occasionally surface, glimpsed by lip-smacking members of the family:

"What's all this about talking to Boadicea? Oh, you mean the letter from Thatcher's psychiatrist."

And the dispatch of the Fishing Minister to a fishing village is naturally preceded by pointed local exchanges about the state of the industry: "Bad news about the

boat I'm afraid." "I know, it don't catch no fish."

If I had a complaint, it would be that there are moments when matters become too serious, partly to do with the relationship between Webster and his granddaughter played by Emily Mortimer, and especially to do with Webster's estranged son, an element that only slowed the pace.

Never mind: *Lord of Misrule* was most splendid and had a good old-fashioned twist at the end. I shall not reveal it lest you had a premonition about the traffic and set the video. How was it on the M? I bet you're never doing that again.

If *Lord of Misrule* was a welcome exercise in tested dramatics, what is one to make of *The Liver Birds*? In an echo of *Whatever Happened to the Likely Lads?* this returns for a new series, a mere 20-something years after the last one. Yes, but why?

The point about the original was that it was a child of its time, a natural outgrowth of the Liverpool era: the Beatles, McGough, Bleasdale and the rise to supremacy of Liverpool Football Club. Some of those touchstones still exist individually, but as a collective vibration Liverpool has passed from the national psyche.

Carla Lane's writing is as sharp as ever. Nerys Hughes and Polly James, as Sandra and Beryl, bravely try to grah the bubbly personalities from their previous incarnations on to a couple now past 50 and rendered single again through divorce and widowhood. The overwhelming impression is of defeatism and a shortage of ideas. The first *Liver Birds* survive in the first *Liver Birds* as classic products of their time: these new ones resemble no more than a desperate attempt to plunder the past and

give it a veneer of the present. At least *The Liver Birds* had curiosity value. An *Inspector Calls* (Channel 4) has been a generally good series on investigations of various kinds, but last night's *Car Capers* did no more than skim the surface of insurance investigation.

Cases straight out of a textbook included whether water permeating rotten windows can really be called "storm damage", people whose claims failed because they had not properly filled out proposal forms and unfortunates who discovered too late that the cars they owned had previously been written off.

The programme offered one pause for thought. An investigator said that the people he disliked most were the ones who, having just been involved in an accident where someone died, had as their first question: "Will this affect my no claims bonus?"

- BBC1**
- 6.00am Business Breakfast (18543)
 - 7.00 BBC Breakfast News (Coexlat) (38804)
 - 9.00 Breakfast News Extra (Coexlat) (4685939)
 - 9.20 Can't Cook, Won't Cook (s) (7791200)
 - 9.45 Killroy (s) (6025842)
 - 10.30 Good Morning (s) (49200)
 - 12.00 News (Coexlat) (1001910) 12.05pm Room for Improvement (s) (5243842)
 - 12.30 Going for Gold (s) (4733282)
 - 1.00 News (Coexlat) and weather (19191)
 - 1.30 Regional News and weather (62302736)
 - 1.40 Newsround (Coexlat) (s) (89458649)
 - 2.00 FILM: *Rocky Horror* (1958). Comedy with Jeanie Carson and Donald Sinden. Villagers fight to prevent their Scottish island being turned into a missile site. Directed by Michael Relph (18200)
 - 3.30 Playdays (s) (2780281) 3.50 Monster Cafe (s) (7282252) 4.05 Casper Classics (s) (8762194) 4.10 Dennis the Menace (Coexlat) (5038842) 4.35 Out of Tune (Coexlat) (2066026) 5.00 Newsround (Coexlat) (7589859) 5.10 The Lowdown (Coexlat) (s) (8367465)
 - 5.35 Neighbours (s) (Coexlat) (s) (772858)
 - 6.00 News (Coexlat) and weather (113)
 - 6.30 Regional News magazines (485)
 - 7.00 2point4 Children. Bill finds a scrap of paper which leads her to think her teenage son is a loyboy (s) (Coexlat) (s) (1910)
 - 7.30 EastEnders. Mark and Ruth confront Pauline with the evidence they have amassed against Willy. Carol and Alan celebrate their marriage with a party at the Vic (Coexlat) (s) (549)
 - 8.00 Great Ormond Street. The story of 17-year-old Carol Curran, who was born with a cleft palate (Coexlat) (3718)
 - 8.30 Funny World: The Funny World of Weddings. A comic compilation from sketches and sit-coms in the BBC archives (Coexlat) (s) (6465)
 - 9.00 News (Coexlat) regional news and weather (3303)
 - 9.30 Men Behaving Badly. Dorothy is recovering from an operation, but Gary is no nurse (s) (Coexlat) (s) (45736) **WALLS:** 9.30 Week in Week Out (45736) 10.00 Men Behaving Badly (35718) 10.30 Cardiac Arrest (1537) 11.00 A Knit to the Heart (745939) 11.50-1.15 FILM: *The Black Tomcat* (160026)
 - 10.00 Cardiac Arrest. Hard-hitting medical drama. A child is thought to be the victim of baby-battering (Coexlat) (s) (35718)
 - 10.30 A Knife to the Heart. The series about the history of transplant surgery hears from a healthy, 30-year survivor of a kidney transplant and a French surgeon who originally had to rely on judicially excised organ donors (Coexlat) (s) (765533)
 - 11.20 FILM: *The Black Tomcat* (1965) with John Turner and Heather Sears. Horror story about a nobleman who returns from his honeymoon with his second wife to find that his once loyal villagers have turned against him. Directed by Robert Hartford-Devis (648674)
 - 12.45am Weather (6178224)

- 6.00am Open University: Marking Time (737200) 6.25 Animal Physiology (7369007) 6.50 Oceans and Climate (538200)
- 7.15 See Hear Breakfast News (Coexlat and signing) (4780688)
- 7.30 Teenage Mutant Hero Turtles (s) (Coexlat) (s) (7307581) 8.00 Peter Pan and the Pirates (s) (Coexlat) (s) (7504874) 8.25 Oakie Doke (s) (s) (5572581) 8.40 Star Trek (s) (s) (8906949)
- 9.05 Daytime on Two: Belief File (4685522) 9.25 Christianity in Today's World (1778216) 9.45 Watch (582297) 10.00-10.25 Playdays (2429303) 10.25 Come Outside (2457552) 10.45 The Experiment (1826981) 11.05 Space Ark (1289622) 11.15 Writing and Pictures (9805945) 11.30 Ghostwriter (9910) 12.00 See Hear (29571) 12.30pm Working Lunch (s) (27842) 1.00 Teaching Today (30533) 1.30 Showcase (6232378) 1.40 Hotch Potch House (8944991)
- 2.00 Oakie Doke (s) (s) (44923533)
- 2.10 The Andrew Neil Show (s) (7285620)
- 3.00 News (Coexlat) and weather (7045736) 3.05 Westminster (Coexlat) (s) (9700945) 3.55 News (Coexlat) and weather (8189010) 4.00 Today's Day(s) (378) 4.30 Ready, Steady, Go! (s) (262) 5.00 The Oprah Winfrey Show (Coexlat) (s) (4751303)
- 5.40 The Ladies of the House. A profile of Gillian Shephard, MP (849910)
- 6.00 Fresh Prince of Bel Air (s) (739216) 6.25 Heartbreak High (Coexlat) (s) (548397) 7.10 The Ren and Stimpy Show (Coexlat) (s) (21842)
- 7.30 The Technophobe's Guide to the Future. Nick Higham investigates digital broadcasting; Fl Glover meets the GPs who turn to their computer when they need a second opinion; and Pauline Quirk continues to get to grips with her home computer (s) (991)

The Works: In the Name of the Father BBC2, 8.00pm

Sigmund Freud is alive and well on television. In this psychoanalyst Darian Leader compares the late Francis Bacon's disturbing *Screaming Papes* with the painter's cherished still of the screaming nurse in Einstein's *Odessa Steps* sequence. "The Best Cry in the World" as Bacon described Poussin's *Massacre of the Innocents*. Then he looks at another icon — the portrait of Pope Innocent X by Velazquez which resembles a photograph of Bacon's stern military father, Major Edward Bacon. Could the portrait be the basis — much distorted — of the *Screaming Papes*? But why this obsession with screaming? Was it perhaps to do with the choking misery of Bacon's childhood asthma or the fact that his younger brother died from the affliction?

The Cook Report ITV, 8.30pm

Now nicely into his stride, the round nosed reporter (Roger to his friends, "that fat bastard" to his enemies) is in his element tonight with — play it again Cook — dodgy landlords. He is exposing the grand rent "feds" who buy up freehold properties at auction, then control the lives of the leaseholders by imposing high service charges and building charges. In some cases the bills have led to the leaseholders being repossessed... one man was actually driven to suicide after receiving a large demand. The law about to be changed but will the new legislation be strong enough? And now center landlords who use phone documentation like P60 forms to by-pass mortgage application cheques (thus unemployed people can buy his properties) and of course, there is a whole new duch of nasty landlords who thrive on the squalor of their properties.

Frontiers ITV, 9.00pm

Carton clearly believes in this new series — enough to launch a feature length op-ed concluding after the news. Are they justified? Well, putting aside the fact that this is yet another police series, probably yes. The premise is promising: the personal rivalry between two very different superintendents in charge of Special Crime Squads in neighboring cities. Their outlook and methods of crime solving are radically different: the tussled, laid-back Jarran (Peter Howitt) goes by his instincts, tight lipped disciplinarian Kirsten (Kevin McNally) goes by the book. When a kidnapping appears to involve both their squads and counties its dangers drawn.

The Man Who Rained the British Film Industry Channel 4, 9.30pm

As the second half of *Without Walls* (Gore Vidal continues his brilliant dissection of American presidencies in the first half) something of an oddity to replace the controversial *Psychoanalyzing Diana*. Philip Kemp and John Ellis's analysis of the rise and fall of the late John Deakin could and perhaps should be in the *20/20* slot. Unkind, but with the ring of truth, this dismantles the legacy of the man who in 1949 took over the mighty J. Arthur Rank — not responsible for over two thirds of British films and left it in 1977, a year in which Rank's debt to finance a single film, what happened in between? This is a *Caligula* of British cinema — is recalled by many of the directors, producers, writers and actors who worked under Deakin who, according to Sir Denis Forman, "understood everything about films, except what they were for." Elizabeth Cowley

- CHOICE**
- 6.00am GMTV (6864282) 9.25 Supermarket Sweep (s) (7776991) 9.55 Regional News (Telexlat) (2333552)
 - 10.00 The Time... the Place (s) (18758129)
 - 10.35 This Morning (50000823)
 - 12.20pm Regional News (Telexlat) (1007194)
 - 12.30 News and weather (Telexlat) (4832587)
 - 12.55 Murder, She Wrote (s) (8376280) 2.00 Home and Away (Telexlat) (s) (19928755) 2.25 Dr Quinn, Medicine Woman (s) (Telexlat) (s) (7291281)
 - 3.20 News headlines (Telexlat) (7052028)
 - 3.25 Regional News (Telexlat) (705197)
 - 3.30 The Magic House (s) (8538787) 3.40 Toke TV (s) (1499378) 3.50 Sooty and Co (s) (s) (2788465) 4.15 Antimachus (Telexlat) (s) (5022381) 4.40 Chris Cross (s) (Telexlat) (s) (2430842)
 - 5.10 Forgotten Ports. Sir Robin Knox-Johnston continues his cruise up the Bristol Channel on a passage to the International Festival of the Sea (9927939)
 - 5.40 News and weather (Telexlat) (842736)
 - 6.00 Home and Away (s) (Telexlat) (s) (63842)
 - 6.25 HTV News (Telexlat) (747755)
 - 6.50 Let's Go (127262)
 - 7.00 Emmerdale. Strength of feeling in the village makes life uncomfortable for Zoe and Emma (Telexlat) (s) (3378)
 - 7.30 West Eye View. Richard Lydden investigates the Government's plans for privatising the nuclear power industry (Telexlat) (945)
 - 8.00 The Bill. Boulton and Deakin investigate a fatal stabbing and encounter a family's jealousy and deceit (Telexlat) (2026)
 - 8.30 The Cook Report with Roger Cook (s) (1533)

- As HTV WEST except
 - 5.10pm-5.40 On the Road with Elnor (5927839)
 - 6.25-7.00 Wales Tonight (991945)
 - 7.30-8.00 Homeground (945)
- WESTCOUNTRY**
- As HTV West except:
 - 12.25-12.30 My Story (1015113)
 - 12.55 Emmerdale (4744378)
 - 1.25-1.55 Cross Wits (31400281)
 - 1.55 Home and Away (38782194)
 - 2.25 Liz Earle's Lifestyle (10921842)
 - 2.55-3.20 A Country Practice (6795026)
 - 5.10-5.40 Home and Away (9927839)
 - 6.00-7.00 Westcountry Live (32587)
 - 7.30-8.00 Check It Out! (945)
 - 11.30 Prisoner Cell Block H (626465)
- CENTRAL**
- As HTV West except:
 - 12.55 Home and Away (4744378)
 - 1.25 Cross Wits (31400281)
 - 1.55 A Country Practice (69455552)
 - 2.20 Liz Earle's Lifestyle (10922571)
 - 2.50-3.20 Rustle's Real Cooks (2546571)
 - 5.10-5.40 Shortland Street (9927839)
 - 6.25-7.00 Central News and Weather (991945)
 - 7.30-8.00 Heart of the Country (945)
 - 11.30 Film: *Fright Night* (174200)
 - 12.55m Late & Loud (2646040)
 - 2.25 Fanny Business (2232446)
 - 2.55 The Good Sex Guide... Late (137417)
 - 3.50 Football Extra (9022408)
 - 4.30 Joffinder (2830427)
 - 5.20 Asian Eye (3244040)
- MERIDIAN**
- As HTV West except:
 - 12.55pm-1.25 Emmerdale (4744378)
 - 1.25 Home and Away (31400281)
 - 1.55 Shortland Street (69455552)
 - 2.20 Liz Earle's Lifestyle (10922571)
 - 2.50-3.20 Land Girls (2546571)
 - 5.10 Home and Away (9927839)
 - 5.37-5.40 Three Minutes — Making It Happen (461303)
 - 6.00 Meridian Tonight (281)
 - 6.30-7.00 On Your Marks (533)
 - 7.30-8.00 Danger Money (945)
 - 11.30 Prisoner Cell Block H (626465)
 - 5.00am Freezones (20446)
- Starts:** 6.30 Chicken Minute (26571) 7.00 The City Breakers (64942) 9.00 The Pink Panther (152902) 9.25 Films: *Backdraft* (761837) 10.55 *Dance in the Streets* (656736) 11.00 Wild India (53113) 12.00 House to House (21938) 12.30pm Madeline (42910) 1.00 Slot Meltrinn (37129) 1.30 The Gaby Roethin Show (5427620) 2.25 Channel 4 Racing From Churley (7276197) 4.30 News (558) 5.00 5.30 News (4494) 6.30 Fifteen to One (9910) 6.00 Newyddion (675644) 6.15 Hesp youngstars make their own plans to runaway to the romantic city of Venice. Directed George Ray Hill (7463885)
- 2.25 Late & Loud (s) (929095) 3.25 The Chart Show (s) (s) (133972) 4.20 Football Extra (433595) 5.00 the LADS (s) (20446)
- 5.30 Morning News (15427)

- 6.30am Chicken Minute (s) (26571)
- 7.00 The Big Breakfast (54942)
- 9.00 The Pink Panther (s) (877674)
- 9.25 FILM: *Backdraft* (1953, b/w). Woeully stilted drama examining the effects of their parents' divorce on three young children. With Janette Scott, Mandy Miller and Jeremy Spenser. Directed by Daniel Birt (Telexlat) (781837)
- 10.55 Dance of Nature. Animation (658736)
- 11.00 Wild India (s) (Telexlat) (s) (53113)
- 12.00 House to House (21938) 12.30pm Sesame Street (33465) 1.30 Ovide (3987845)
- 1.55 Bush Tucker Man (s) (s) (29780736)
- 2.25 Channel 4 Racing from Chester (s) (72748197)
- 4.30 Fifteen to One (558) 5.00 The Montel Williams Show (Telexlat) (s) (8373755) 5.50 Tellytoons (368262)
- 6.00 The Avengers (s) (Telexlat) (30129)
- 7.00 Channel 4 News (946200)
- 7.55 The Slot (256533)
- 8.00 Classic Trucks. Before the days of mass ownership of cars and frigids, Britain's streets were full of small delivery vans (s) (Telexlat) (s) (2228)

- 8.30 Brookside. Jackie is upset by Bev's speculations concerning Lindsey (Claire Sweeney) (Telexlat) (s) (3200)
- 9.00 Without Walls: Gore Vidal's American Presidency — High Noon. (2/3) Lovel-headed businessman or trigger-happy gunslinger? Gore Vidal continues his personal view of the most powerful job in the world with a look at the imperial expeditions and the two world wars which led to America's real-life high noon. (Telexlat) (s) (2113)
- 9.30 Without Walls: The Man Who Rained the British Film Industry (Telexlat) (s) (3574)
- 10.00 And the Best Goes On. (8/8) As the police investigation closes in, Nick knows he must take responsibility for the truth about Corrie. (Telexlat) (s) (5134804)
- 11.05 Blue Heaven. Sit-com written by and starring Frank Skinner (s) (s) (302200)
- 11.35 Big Mouth. Tony Parsons with more opinionated comment. The guests include Malcolm McLaren (s) (609445)
- 12.40am World League Football. Highlights of the European American football league with the London Monarchs and the Scottish Claymores (384942)
- 1.10 News. It's Casey's last day: she's leaving for a better, more powerful job. (Telexlat) (s) (6100798)
- 1.40 FILM: *The Dark Past* (1948, b/w) with William Holden as an escaped killer whose disturbed psyche is probed by a psychoanalyst; Lee J. Cobb, who is taken hostage in the summer cabin. Directed by Rudolf Maté (1102224) Ends at 2.55

VideoPlus+ and the Video PlusCodes

The numbers next to each TV programme listing are Video PlusCode numbers, which allow you to programme your video recorder instantly with the correct channel. To use the Video PlusCode for the programme you wish to record, VideoPlus+ (V+), PlusCode (P+) and Video Programmer are trademarks of Genstar Development Ltd.

Psychanalyst Darian Leader (8.00pm)

The Works: In the Name of the Father? (Coexlat) (s) (8200)

8.30 Floyd on Africa. (3/7) The flamboyant cook continues his culinary tour of southern Africa with a visit to Madagascar (Coexlat) (s) (4007)

9.00 Murder One: Chapter Ten A rumour linking Hoffman with Franca Cross begins to circulate (Coexlat) (s) (455500)

9.45 Moment of Truth. Ed Slark talks to the actor Eric Curran about the effects of the indecency charge brought against him and the small band of people who fought for justice for him (s) (812620)

10.30 Newsnight (Coexlat) (947200)

11.15 Moving Pictures (Coexlat) (s) (99823)

12.00 The Midnight Hour (s) (10972)

12.30am-6.00 The Learning Zone

Frontiers ITV, 9.00pm

Carton clearly believes in this new series — enough to launch a feature length op-ed concluding after the news. Are they justified? Well, putting aside the fact that this is yet another police series, probably yes. The premise is promising: the personal rivalry between two very different superintendents in charge of Special Crime Squads in neighboring cities. Their outlook and methods of crime solving are radically different: the tussled, laid-back Jarran (Peter Howitt) goes by his instincts, tight lipped disciplinarian Kirsten (Kevin McNally) goes by the book. When a kidnapping appears to involve both their squads and counties its dangers drawn.

The Man Who Rained the British Film Industry Channel 4, 9.30pm

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Frontiers. Police drama with Peter Howitt, Kevin McNally and Hywel Bennett (Telexlat) (s) (3842)

10.00 News at Ten (Telexlat) (24026)

10.30 Regional News (Telexlat) (439718)

10.40 Frontiers. Continues and concludes (Telexlat) (s) (774281)

11.30 Max Monroe: Loose Cannon (628468)

12.20 FILM: A Little Romance (1979) starring Laurence Olivier, Arthur Hill and Diana Lane. Romantic comedy about young love. An American girl living in Paris falls for the charms of a lower-class French boy and is distraught when her father makes plans to return her to the States. The film is a classic of the genre, with youngstars make their own plans to runaway to the romantic city of Venice. Directed George Ray Hill (7463885)

2.25 Late & Loud (s) (929095) 3.25 The Chart Show (s) (s) (133972) 4.20 Football Extra (433595) 5.00 the LADS (s) (20446)

5.30 Morning News (15427)

As HTV WEST except:

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- 6.00 Meridian Tonight (281)
- 6.30-7.00 On Your Marks (533)
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- 11.30 Prisoner Cell Block H (626465)
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- For more comprehensive listings of satellite and cable channels, see the Vision supplement, published Saturday**
- SKY ONE**
- 7.00am London (4620) 8.30 What A Mess (4212) 9.00 Press You Luck (632787)
 - 9.30 Love Connection (989674) 9.45 Open Winery (472874) 10.40 Jeopardy! (897839) 11.10 Sally Jessy Raphael with Adam Boulton (897839)
 - 11.40 The Big Game (18155) 3.00 Court TV (5945) 3.30 Oprah Winfrey (692252) 4.15 London (753465) 5.00 Star Trek (2097) 6.00 The Simpsons (3519) 6.30 Jeopardy! (1059) 7.00 L.A.D. (4028) 7.30 M*A*S*H (8502) 8.00 Star Trek (27649)
 - 8.30 Tonight with Adam Boulton (897839) 9.00 The Big Game (18155) 9.30 Anything But Love (54514) 2.00 HK Mx (93223)
- SKY NEWS**
- News on the hour
 - 8.30am Fashion TV (40378) 10.30 ABC Nightline (5907) 1.00pm CBS News (7652) 2.30 Parliament Live (255891)
 - 3.15 Parliament Live (255891) 4.00pm The Big Game (18155) 4.30 Tonight with Adam Boulton (897839) 5.00 Star Trek (27649) 5.30 Tonight with Adam Boulton (897839) 6.00 The Simpsons (3519) 6.30 Jeopardy! (1059) 7.00 L.A.D. (4028) 7.30 M*A*S*H (8502) 8.00 Star Trek (27649) 8.30 Tonight with Adam Boulton (897839) 9.00 The Big Game (18155) 9.30 Anything But Love (54514) 2.00 HK Mx (93223)
- SKY MOVIES**
- 6.00am Mighty Joe Young (1949) (2991) 8.00 State Fair (1945) (62910)
 - 10.00 The Wonderful World of the Brothers Grimm (1958) (886216) 12.00 The Ice-cream Man (1988) (886216)
 - 2.00 Kiss Me Goodbye (1982) (14129)
 - 4.00 Shock Treatment (1981) (1129) 6.00 Lost in Yonkers (1993) (21465) 8.00 Wednesday 5 (1994) (2917) 11.00 Quality as Sin (1989) (22820) 11.50 Beyond Belief (1994) (26079) 1.20am Monte and Montezuma (1971) (22243)
 - 3.15 Family of Strangers (1982) (804750)
- SKY MOVIES GOLD**
- 4.00pm An American in Paris (1951) (655) 8.00 Big Jim McLane (1982)

- THE MOVIE CHANNEL**
- 6.00am The Delicate Delinquents (1958) (3033) 8.00 Master of the World (1978) (7404) 9.00 The Prince and the Pauper (1977) (1978) 10.00 Star Trek: The Motion Picture (1979) (77674) 12.00 The Trouble with Angels (1968) (4832) 2.00 Jumping Jack (1982) (3571) 4.00 The Last of the Mohicans (1957) 6.00 Jumping Jack (1982) (3571) 6.00 Dead Men's Revenge (1953) (84194) 7.30 Special Feature (2020) 8.00 When a Man Loves a Woman (1984) (4352) 10.00 Only the Strong (1988) (20226) 11.45 Golden Balls (1983) (31159) 1.20am Golden Gate (1989) (30192) 2.50 My Breakfast (1989) (30117) 4.25 Jumping Jack (1982) (3571)
- THE DISNEY CHANNEL**
- Sky Movies Gold takes over from 1.00pm
 - 6.00am The Muppet Babies (9266592)
 - 6.30 DuckTales (8003200) 7.00 Duck Attack (879153) 7.30 Chip 'n' Dale Rescue Rangers (979298) 8.00 DuckTales (8003200) 8.30 Adventure in Wonderland (5071082) 9.00 Fraggle Rock (5437281) 10.00 The Muppet Movie (1978) (100) 10.30 DuckTales (8003200) 11.00 Under the Umbrella Tree (9713479) 11.30 Dumbo (s) (8713465) 12.00 Walt Disney Presents (s) (8713465) 1.00pm FLN The Hunchback of Notre-Dame (1996) (457461) 2.30 DuckTales (8003200) 3.00 DuckTales (8003200) 3.30 DuckTales (8003200) 4.00 DuckTales (8003200) 4.30 DuckTales (8003200) 5.00 Boy Meets World (4573849) 5.30 DuckTales (8003200) 6.00 DuckTales (8003200) 6.30 DuckTales (8003200) 7.00 FLN: The Legend of Young Dug (1993) (1457862) 6.30 DuckTales (8

ROOMS WITH A VIEW OVER THE THAMES

BUSINESS

TUESDAY MAY 7 1996

BARGAIN BREAK 38

TOUR FIRMS TRY TO CURB DISCOUNT HOLIDAYS

BUSINESS EDITOR LINDSAY COOK

Business optimism over jobs

Unemployment figures are set to fall as British businesses fulfil intentions to hire extra staff, according to a survey by Dun & Bradstreet, the business information company.

The D&B survey of 1,900 companies found that the proportion of businesses planning to create jobs rose from 59.5 per cent in the first quarter to 63 per cent in the second quarter.

The survey also found that companies are expecting an increase in sales and profit in spite of which they see little latitude to raise their prices.

The more optimistic picture of economic conditions is backed up by news of a boom in capital investment by companies.

The Finance & Leasing Association (FLA) calculates that its members provided more than £3 billion of finance to businesses in March — nearly double the level provided in the same period last year.

Extra year for Rowland

David Rowland, who was due to stand down as chairman of Lloyd's of London in December, has had his £450,000-a-year contract extended for a further 12 months. Lloyd's is in the process of trying to gain support from its 34,000 names for a radical restructuring and recapitalisation that will effectively ring-fence Lloyd's from the problems of the past. Final hand, page 38

Lucas talks

Lucas Industries, the engineer, has confirmed reports of talks with Varty Corporation of the US about possible strategic links. A formal statement rushed out over the Bank Holiday weekend said that included a possible merger of the two companies' braking operations. Some analysts have seen the potential link as a precursor to an eventual full merger of the companies.



Collision course: Clare Spottiswoode is adding the final touches to a review that will conclude one of the most bitter regulatory disputes in years

British Gas set to clash with regulator on prices

By MARTIN WALLER AND CHRISTINE BUCKLEY

BRITISH GAS is on a collision course with Clare Spottiswoode, the industry regulator, who is this week putting the final touches to a tough review that could cut domestic prices by 8 per cent from next April.

Ms Spottiswoode is also thought to be looking for real domestic price cuts of 2 per cent each year thereafter, up to the year 2002. This would be the inevitable outcome of the pricing controls she will shortly announce on TransCo, British Gas's pipeline side, which is to be demerged next year. But such cuts are unlikely to be acceptable to the com-

pany, which is expected to insist on a Monopolies and Mergers Commission inquiry instead. If imposed in full, they would almost certainly require future dividend cuts.

The City is braced for Ms Spottiswoode's sighting shot in the five-year price regulation of TransCo next Monday. That would be the culmination of one of the most public disputes between industry and a regulator in recent years.

Revenue of at least £300 million a year is at stake. If the controls are as onerous as the City's worst expectations, it could be higher. Both sides have said the gulf between them is so wide an MMC reference is almost inevitable.

At the heart of the row is the vexed matter of British Gas's depreciation policy, designed to ensure funding of capital expenditure, since privatisation in 1986. City observers say

Ms Spottiswoode is convinced depreciation has been set too high, at perhaps an extra £200 million a year, so allowing British Gas to understate profits. She is thought to be keen to impose a tight price cap regime, linked to retail price inflation (RPI), to claw back some of the excess profit.

Nigel Hawkins, utilities analyst at Yamachi International, is convinced Ms Spottiswoode is serious about deep price cuts. "She is saying they have been over-depreciating for several years. You cannot expect me to impose RPI numbers on profits that have been understated for years."

British Gas, he thinks, will be obdurate. "If they see tough numbers they feel have been cobbled together, unless they have a very strong intellectual and financial basis to them, I believe British Gas will say, what have we got to lose by

going to the MMC?" Ms Spottiswoode's initial pronouncement will be followed by three weeks of public consultation, with the final proposals due at the end of June, followed by more public consultation.

City brokers like Mr Hawkins expect her to opt for a sharp one-off reduction in TransCo's charges — as much as 20 per cent — to claw back some of this extra depreciation. This would translate, given TransCo's costs are 40 per cent of total gas prices, into an 8 per cent tariff cut.

For the next four years, a real price cut of 5 per cent on TransCo is thought to be under consideration, translating into a 2 per cent fall in prices to consumers. TransCo currently operates on a similar formula. Tighter controls would be politically popular to counter the perception that regulators treat the utilities too lightly. Some

think Ms Spottiswoode's political aspirations could weigh on the decision. She has spoken of the sense of merging regulatory offices, a view Labour is thought to share. "There is ground to be gained by a tough regime now if she wishes to be the main regulator."

TransCo has urged lenience on the grounds that full competition in the domestic market — scheduled for 1998 — will raise its costs considerably. Then it will have to handle the billing and meter-reading for the new suppliers that use its network. Those tasks are currently restricted to suppliers serving industrial and commercial customers and those participating in domestic trials in the South West.

Higher costs of competition, it says, will go some way to counter falling capital expenditure, from £886 million in 1997 to £716 million in 2004.

Investors await ruling on fate of ostrich firm

By ROBERT MILLER AND KAREN ZAGOR

THOUSANDS of investors who spent at least £10 million on buying ostriches are pinning their hopes for the early return of their birds on a High Court hearing tomorrow.

The ostriches were impounded on seven sites in Belgium last month after the Department of Trade and Industry applied to have the Ostrich Farming Corporation (OFC), the Nottingham-based company that sold the birds, closed down. The court appointed Michael Pugh, the Official Receiver, as provisional liquidator until this week's hearing. The OFC is now the subject of an official Serious Fraud Office investigation.

It is not clear whether OFC will contest the DTI winding-up order. If the company decides to fight, and early indications are that it will, then the registrar will adjourn the case for a full High Court hearing. If the DTI case is not contested the Official Receiver will continue with his investigation, which is independent of the SFO's inquiry. Either way, Mr Pugh will have to seek a ruling from the court on the continued upkeep of the ostriches. It is likely that he will have to dip into funds to

pay for their upkeep in the foreseeable future.

Before Easter, Mr Pugh visited the Belgian sites where some 3,000 birds are under the care of Eddy Nachtergaele, a farmer. It is understood that he is satisfied that each bird has been properly tagged with a unique electronic number, with one owner per bird. Mr Pugh has made it clear that he is not prepared to release the ostriches "until I have made further investigations to establish what the precise ownership position is as regards individual ostriches".

The ownership of another 900 birds shipped to Belgium from Namibia after the provisional winding-up order is still not clear. Nor is it clear who owns the chicks being produced — a mature breeding bird can cost £14,000.

Inquiries by *The Times* have established that a number of ostrich owners sold all their assets, including homes, to buy the birds after being promised minimum annual returns of 51.6 per cent for five years. The ostrich craze has been fuelled by the "Mad Cow" scare; the meat of the birds is seen as a healthy alternative to beef.

Mercury's future under scrutiny

By ERIC REGULY

CABLE AND WIRELESS will this week start to seek a new role for its Mercury Communications offshoot after the collapse of merger talks with BT. Observers believe that linking Mercury with one of the big cable companies appears one of the more promising options.

Mercury owned 80 per cent by C&W and 20 per cent by Bell Canada International, is showing new signs of life after an overhaul in 1994 and 1995, designed to slash Mercury's costs in the face of strong competition from BT and other operators. About 2,500 employees lost their jobs and the company pulled back from several markets, including the residential sector.

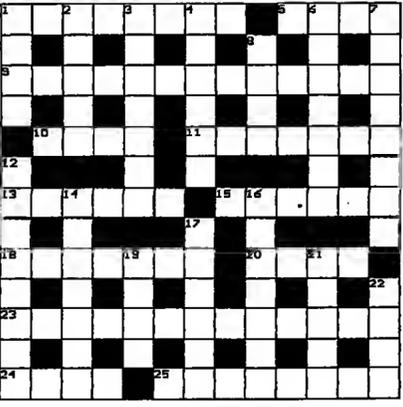
Mercury is back on a growth track and should report improved operating profits for

1995-96: Hoare Govett analysts expect about £220 million, up from £194 million.

Mercury is introducing new products ranging from "One-Call", giving users a single number for fixed, mobile and fax services, to virtual private networks for corporations. A £12 million marketing campaign shows its new confidence.

However, Mercury's market is largely business users. If it wants to fight BT in other areas, it must reach the consumer, and cable companies are the best bet. It has no interest in building its own access network, a costly exercise. Mercury could provide cable companies with a national and international phone network. Bell Canada has tried to bring its cable interests and Mercury closer together.

TIMES TWO CROSSWORD



No 775

- ACROSS
- 1 One representing ordinary folk (3)
 - 5 Hit violently; party (slang) (4)
 - 9 Instantly asleep (3,4,1,5)
 - 10 Invent (word); piece of money (4)
 - 11 One waltzed, one told Dreadful Lies (7)
 - 13 Old rival (often pl.); Scots jury (6)
 - 15 Sick feeling (6)
 - 18 Come to grips (7)
 - 20 Drained-fluid receptacle (4)
 - 23 Utterly (extrapared) (4,3,6)
 - 24 Gemstone, has layers of colour (4)
 - 25 To broadcast (8)

- DOWN
- 1 Stern structure, deck (4)
 - 2 Paved area by house (5)
 - 3 Wilhelm Goetfried —, 17C mathematician (7)
 - 4 Humid; erotic (novel) (6)
 - 6 Prayers; their bell (7)
 - 7 Anne —, the Bard's wife (8)
 - 8 Strip in eg Venetian blind (4)
 - 12 Marsupial; sort of court (8)
 - 14 Vague, half-sen (7)
 - 16 Unplaced runner (4-3)
 - 17 Translate; present for approval (6)
 - 19 Fuel, fertiliser from bog (4)
 - 21 White note with stem (5)
 - 22 Closed (4)

SOLUTION TO NO 774
ACROSS: 1 Blue moon 5 Aces 8 Clown 9 Cochlea 11 Let 12 Top-drawer 13 Gaffer 15 Cyprus 18 Forthwith 19 Gum 20 Scamper 21 Chiff 22 Eye 23 Reindeer

DOWN: 1 Backlog 2 U-boat 3 Mind the shop 4 Occupy 6 Cold War 7 Stair 10 Carry the can 14 Tarrare 16 Stimilar 17 Fierce 18 Feste 19 Glide

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MCA lures new chief with \$76m pay package

FROM RICHARD THOMSON IN NEW YORK

IN A further ratcheting up of huge executive salaries in corporate America, Frank Biondi, the former chief executive of Viacom, is joining the MCA film studio, owned by Seagram, for a salary package worth \$76 million over five years.

The figure emerges from documents filed with the Securities and Exchange Commission. Mr Biondi, 51, who is becoming chief executive of MCA, will receive \$1 million in basic salary — the maximum allowable as a tax-deductible expense for the company — and \$300,000 in deferred compensation. He will also receive an annual bonus of \$4.5 million that could rise as high as \$9 million, and a generous grant of options on Seagram shares worth around \$25 million, according to Graef Crystal, an independent pay consultant.

The deal makes Mr Biondi one of the most highly paid executives in an industry renowned for the remarkable

earnings of its top people. Mr Biondi earned about \$12 million a year between 1992 and 1994. He also received a handsome, though undisclosed, payoff from Viacom, the cable, video and entertainment group he left earlier this year after disagreements with the

company's owner, Sumner Redstone. Mr Biondi's appointment marks the end of MCA's long search for a chief executive.

The size of pay packages within the entertainment industry has begun to raise eyebrows even in America, where large executive salaries usually provoke little comment. Michael Oritz, the newly appointed chief executive of Disney, has a pay package worth around \$96 million, although it is heavily dependent on performance-related bonuses and share options.

Ted Turner may earn even more when he becomes deputy chairman of Time Warner following the sale of his cable network to that company. Mr Turner's package could be worth \$110 million. Both Disney and Time Warner, however, are considerably larger companies than MCA, making Mr Biondi's package look extremely generous.

Wall Street prices, page 37



Biondi: generous deal

New York shares tumble

SHARES on Wall Street tumbled in early trading as investors moved out of blue chips and into smaller companies. Analysts said that the drop of more than 50 points in the Dow Jones industrial average was due to concern over the long bond yield, which was above 7 per cent.

Shortly after midday, the Dow was down 53.10 points, or 0.97 per cent, at 5,424.93, activating limits on program trading. Volume was relatively light, at 197 million shares.

Trading had started strong, after last week's loss of 90 points, before declines started to outstrip advances. Michael Metz, chief investment strategist at Oppenheimer, said that cash was becoming an attractive alternative. He said: "There is genuine fear that we are finding ourselves in the worst of all possible worlds — inflation, a rise in interest rates, and a slowing in the rate of gain for corporate profits."

Wall Street prices, page 37

US rivals weigh up Midlands

By RICHARD THOMSON AND MARTIN WALLER

HOUSTON INDUSTRIES, a Texas utilities company, has emerged as a potential rival to General Public Utilities (GPU), another US power generator, in a bid for Midlands Electricity, Wall Street sources believe.

Midlands has confirmed that it is in talks with a possible bidder. An offer could come as soon as today. Any approach from GPU could spark a bidding war that would be highly lucrative to the thousands of private shareholders who bought into Midlands

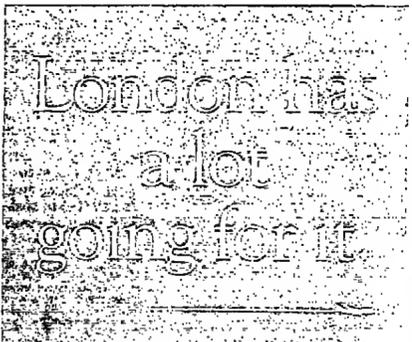
on privatisation five years ago. Houston Industries has been looking for an investment in the UK power industry for some time, and was foiled last year to an attempt to buy Norweb, the regional electricity company in the North West.

GPU, which is based in New Jersey and Pennsylvania and operates the Three Mile Island nuclear power station that came close to disaster in 1979, is leading a near-£2 billion takeover approach in alliance with Cinergy Corporation, Cincinnati's energy company. GPU has recently made expensive investments in Australia and Bolivia as part of a policy of international expansion. The

company is known to have the financial firepower to support another expensive investment, this time in the UK. Total net income last year was \$440 million.

The entry of another US company into the bidding for Midlands would come as little surprise, since many of the more aggressive utilities groups in the US are looking for ways to diversify out of their increasingly lightly regulated home market.

Observers are convinced that several other such companies are still sniffing around the depleted sector and the City says the bidding wars in the power industry are far from over.



With passengers set to double in 16 years the South-East's airports face terminal trouble

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THURSDAY MAY 7 1996

Madrid si tough new over Gibr

Chirac after b

Bureau



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Madrid signals tough new line over Gibraltar

By Tunku Varadarajan in Madrid and Our Foreign Staff

SPAIN'S new Foreign Minister yesterday gave a warning of a tough new line on Gibraltar, and said that he "did not rule out" a return to a closed border between mainland Spain and the British colony.

Abel Matutes promised, in an interview published in *El Mundo*, to put pressure on Gibraltar if the existing measures to deal with smuggling and contraband did not yield swifter results.

"For the moment, we will continue with the measures which the preceding Government adopted, but if they prove insufficient, we will have to increase the pressure," Señor Matutes said.

"I would not like to have to resort to breaking off communications, but we will have to take any steps that are necessary. We do not rule anything out."

Sources in the ruling Popular Party said that it was Señor Matutes who had insisted, before the elections in March, that a commitment to recover Gibraltar should form a part of the party's election manifesto. He is also believed to be very close to Javier Rózpé, the former party spokesman on foreign affairs, who has advocated a closed border.

The Foreign Minister also described as "crazy" a pro-

spective new European Union directive on the winding-up of credit institutions, which would invest the Supreme Court of Gibraltar with the power to enforce a decree of bankruptcy.

The previous Spanish Government blocked the directive, and a continued block would appear to run counter to the European Commission's concern that Gibraltar's financial services sector be brought into line with the rest of Europe.

Significantly, Señor Matutes also called for the construction without delay of a Common Foreign and Security Policy for the EU. "Europe must speak with only one voice and it is evident that France and Germany must be the chief actors in the CFSP," he said. "If Spain wants to carry any weight on the international scene, it needs to align itself basically, radically and in principle with France and Germany."

Señor Matutes discounted a prominent role for Britain in such a common policy saying "the British do not believe in it". He added: "Spain must maintain good relations with Britain, but aligning with France and Germany is our great priority." The Foreign Minister also expressed his admiration for what he called

the "Rhine model" of Europe, of which Germany was "the paradigm".

A former European Commissioner, Señor Matutes is committed to deeper European integration, and subscribes to the view held by Helmut Kohl, the German Chancellor, that only further integration can keep the peace in Europe.

The "Rhine model", which he described as "highly desirable", was preferable to the "Anglo-Saxon model" of Europe. Señor Matutes described the latter as "more Calvinist, hard-edged and orthodox, with a greater capitalist flexibility, perhaps more appropriate to the British character" than for the rest of Europe.

On the subjects of economic and monetary union and Nato, however, Señor Matutes took a line that was more in tune with British interests. "I think it would be reasonable to stop the clock of monetary union if we are not ready," he said. "Each economy can only do as well as realities allow. If we try to drive a Seat 600 at the pace of a Formula One car, the motor would simply explode before the first bend in the track."

On Nato, Señor Matutes said that Spain was now ready for integration into the military command structure of the alliance. In manifestos published yesterday for the general election on May 16, Gibraltar's political parties called for a loosening of ties with Britain. The ruling Gibraltar Socialist



Abel Matutes, Spain's Foreign Minister, embraces Carlos Westendorp, his outgoing predecessor, yesterday

and Labour Party called for a decolonised status in which Gibraltar enjoys the security of continuing close links with Britain and full European rights. The tiny National Party said the Rock should be granted "city-state" status within the EU, with the Queen

remaining head of state. Under the current constitution, Gibraltar's 15-member House of Assembly is in charge of most domestic affairs. Britain has responsibility for internal security, foreign and defence policy.

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remaining head of state. Under the current constitution, Gibraltar's 15-member House of Assembly is in charge of most domestic affairs. Britain has responsibility for internal security, foreign and defence policy.

NEWS IN BRIEF

Envoy post for Gandhi grandson

Delhi: Gopal Gandhi, a grandson of Mahatma Gandhi, has been appointed as High Commissioner to South Africa, where the Indian independence leader began to champion civil rights nearly a century ago.

Gopal's father was born in 1900 in Durban, where Gandhi was practising law. Mahatma Gandhi's three other grandchildren live in South Africa. One is an African National Congress M.P. (AP)

Truce broken

Monrovia: US Marines opened fire to protect their embassy in the Liberian capital and shots were heard around the city after the deadline for a truce in faction fighting. (Reuters)

Traders drown

Freetown: More than 100 people drowned off the coast of Sierra Leone when a boat carrying market traders capsized, survivors said. Hospital sources said 116 bodies had been recovered. (Reuters)

Graf 'blackmail'

Mannheim: German public prosecutors said on they had charged a man aged 68 with trying to blackmail the father of tennis star Steffi Graf. Peter Graf is in prison facing allegations of tax evasion. (Reuters)

Activist returns

Taipei: Peter Huang, 59, a Taiwanese independence activist who tried in 1970 to assassinate Chiang Ching-kuo, a son of Chiang Kai-shek, returned to Taiwan from exile in America. (Reuters)

Chun denial

Seoul: Chun Doo Hwan, the jailed South Korean former President, denied at his trial for treason that he ordered troops to fire on demonstrators in the southern city of Kwangju in 1980. (Reuters)

Rail sabotage

Bonn: Anti-nuclear activists sabotaged railway lines and clashed with police as Germany prepared for a shipment of nuclear waste, due to arrive from France this week. (Reuters)

Midway refuge

Los Angeles: Midway, the Pacific atoll where the US Navy won a crucial victory over the Japanese in 1942, is to become a wildlife refuge after the naval base there is closed later this year.

Cardinal dies

Brussels: Cardinal Leo Jozef Suenens, retired Archbishop of Malines-Brussels and a leading figure at the Second Vatican Council in the 1960s, has died. He was 91. (AP) **Obituary, page 17**

Man bites dog

Cairo: A stolen German shepherd guard dog was returned to its owner with its ears in bandages after a thief bit it in a vain attempt to stop it barking. The thief and two others were arrested. (AFP)

Tourists warned over fake doctors

FROM JAMES BONE IN NEW YORK

BRITISH tourists travelling to Florida are being warned to watch out for bogus doctors following the case of a British girl who died on a trip to Disney World.

A man posing as a doctor, who treated the girl, is now in custody in New Jersey on charges of third-degree murder, manslaughter and practicing without a licence. Rebecca Richards, 11, of Rotherham, died after her grandmother sought help from a medical house-call service in Orlando, Florida, in 1993. Amrish Kumar Patel, of On-Call Medical Services, prescribed an antibiotic for a throat infection instead of diagnosing the onset of diabetes. The company prescribed the drug using the name of a real doctor who no longer worked there.

William Villafana, 30, and his wife Martine, 22, who owned the house-call service, face similar charges to Mr Patel, 28, who studied medicine in his native India, but was not qualified to practise in Florida. The couple ran another branch in Miami with a second unlicensed doctor, Rosendo Gonzalez, who was arrested last year.

Nina Botcher of Florida's Agency for Health Care Administration, said the case against On-Call Medical Services was the "first of its kind". "They covered a wide territory and they actually had a referral service," she said. "What we are used to with an off-licence practice is someone practising solo in the back of their house, not someone out in the open. Their primary targets seemed to be the hotels," she added. "That was probably their primary clientele."

Ms Botcher said that Florida doctors were required to carry pocket-sized certificates at all times, and that tourists should ask to see them.

Jim Solomons, a spokesman for the Orange County Sheriff in Orlando, said On-Call Medical Services had treated an estimated 75-80 tourists before closing. "As far as we can tell, this one operation was totally unique," he said.

Chirac popularity revives after bruising first year

FROM BEN MACINTYRE IN PARIS

PRESIDENT Chirac said yesterday that reducing France's deficit and building a single European currency remained the key aims of his presidency, despite a first year in office marked by unpopularity, economic dislocation and the worst strikes since 1968.

M Chirac was elected President a year ago today and, although France avidly assesses his tumultuous year, he has made clear that the man nicknamed "le Bulldozer" is not for turning. "Today the objective is clear — to go further in reducing public spending because this is the only way to cut taxes from 1997 without making deficits larger," he wrote in an article for the newspaper *Le Monde* yesterday. "The European Union must have a real identity, a single currency and a common policy on trade, foreign affairs and security," he said.

It has been a bruising first round for the President, but his personal popularity is finally reviving after plunging to the lowest levels of any president in modern French history. Nevertheless, most voters remain dubious about his policies and Government: only 35 per cent are satisfied with his first year, according to the latest opinion polls, even though most have come to admire his "dynamism" and "presidential style".

A man of great charm, M Chirac has been working hard

Paris: Retired five-star General Jean Crepin, a pioneer in the development of Franco-German weapons and a "father" of the Exocet missile, died at the weekend, aged 87. As head of the state-owned Nord Aviation, General Crepin supervised development of the Exocet family used by Argentine aircraft against British ships in the 1982 Falklands War. (Reuters)

on his public image and the "bulldozer" who rammed through a series of controversial measures without apparent regard for popularity at the start of his seven-year term is gradually evolving into something closer to a stretch limousine: sleek, personally accommodating and unlikely to turn any sharp corners. But the ride to get here has been anything but smooth and has been more notable for bitter debate than concrete achievements.

Many of the promises that swept him to power on May 7, last year, lie broken: taxes and unemployment are up, his Government is divided and unpopular and the promise to mend "social fractures" and reform the education system have all but evaporated.

The Chirac presidency began with a series of explosions: in the South Pacific, when he decided to resume

nuclear testing; in the Paris Métro, where Islamic terrorists launched a bloody summer bombing campaign; and on the streets of French cities, where welfare reform plans to reduce spending and meet the Maastricht rules for a single currency provoked nearly a month of crippling strikes last winter and left much of the reform programme in tatters.

But once the smoke had cleared, many voters found they could live with the figure that emerged — less peppery than de Gaulle and more invigorating than Mitterrand. Even the left-leaning *Libération* newspaper was forced to admit that he has grown into the presidential mantle. Few politicians can kiss a baby, congratulate a film star or down a beer with a local peasant with quite such panache, a gift that certainly will be on show when M Chirac and his wife Bernadette come to Britain for a four-day state visit next week.

The President plainly has ended his first year in better shape than his Government. Alain Juppé, the Prime Minister, is still widely disliked and the battle over welfare reform and deficit reduction that erupted in last year's strikes is far from over.

M Chirac has six more years in office, but with legislative elections just two years away, the future of his Government and that of M Juppé are less assured.



Patten: timely visit

US debates trade status of China

WASHINGTON: Chris Patten, the Governor of Hong Kong, arrived in Washington last night just as an election-year debate over reworking China's preferential trading status was heating up.

Mr Patten will spend three days arguing that renewal is vital to Hong Kong's political and economic future. President Clinton must reach a decision by June 4, and is expected to support renewal, but it is far from certain that the Republican Congress will follow suit.

Bob Dole, the Senate leader and Republican presidential challenger, is clearly tempted to abandon his past support for renewal so he can accuse the President of "rodding the butchers of Peking" — the very accusation Mr Clinton levelled against President Bush in 1992.

Clinton lifted by thriving economy and falling crime

FROM MARTIN FLETCHER IN WASHINGTON

IN SHARP contrast to his first three years in office, President Clinton is suddenly riding a wave of good fortune.

New FBI figures yesterday showed a nationwide drop in serious crime in 1995, blunting one of the principal issues the Republicans planned to use against Mr Clinton in the autumn presidential elections.

"Because of our tough and smart decisions to put more cops on the street and get kids, guns and drugs off the street, we are now beginning to reverse the trend in violent crime," the President said.

Another batch of new statistics painted a rosy economic picture, enabling Mr Clinton to claim that he is fulfilling the central pledge of his 1992 campaign to revive the economy. But Haley Barbour, the Republican Party chairman, said: "The truth is, Bill Clinton inherited a strong and growing economy."

The FBI figures showed serious crimes dropped for the fourth consecutive year. There was an 8 per cent fall in murders and a 7 per cent fall in robberies. Crime fell in all regions, but the improvement was particularly noticeable in big cities, where overall crime rates fell 6 per cent.

The only substantial increase was in the number of actual or attempted bombings. These have risen 52 per cent to 3,199 since 1990, largely

because bomb-making instructions and materials are so readily available. The Republicans have benefited from portraying the Democrats as soft on criminals, but this year could be different. The latest figures apart, the Republicans have exposed themselves to attack by fighting to repeal Mr Clinton's assault weapons ban.

The latest economic figures, showed unexpectedly strong growth of 2.8 per cent in the first quarter of this year, consumer confidence rising to its highest level in six years and unemployment falling last month to 5.4 per cent, its lowest level in 14 months.

Such economic strength would traditionally guarantee a president's re-election, but Mr Clinton's problem is that the recovery has not translated into higher wages for millions of middle and lower-income Americans. He cannot therefore boast too loudly about his record and is instead presenting it as "one to build on, not to stand on".

On issues in which the Republicans clearly have an advantage, Mr Clinton has been simply embracing their position. He did it again yesterday, announcing his support for a Republican Bill giving a \$5,000 (£3,333) tax credit to families that adopt children and removing barriers to inter-racial adoptions.

Bureaucrats stifle Venetian serenade

By RICHARD OWEN IN ROME AND OUR FOREIGN STAFF



Gondoliers punt passengers along a canal in Venice. But for now the city's balladeers have fallen silent.

VISITORS to Venice this spring who hope to be serenaded while reclining in a gondola and gazing into the eyes of their beloved are in for a disappointment.

The singers who normally offer *O Sole Mio* and *The Blonde in the Gondola* to the accompaniment of the gondoliers punt along the canals and lagoon of Venice used to form part of Italy's "black economy". Three years ago, however, they started to pay tax, and were licensed by the city authorities.

But now the gondola crooners have fallen victim to a further regulation officially classifying them as "musical entertainers". As a result, they have been ordered to pay contributions to the entertainment union pension fund, and have been banned from singing and playing until they do so.

The gondoliers are refusing to take on the additional role of singing, even though in theory they could ask even higher fees than they do already. They argue that they are boatmen, not singers, and that if they do serenade customers they, too, will be classed as entertainers.

"Romance killed off by the bureaucrats" was the verdict of the *Corriere della Sera* newspaper yesterday.

According to Fulvio Scarpia, head of the Venice Gondoliers Association, there are around 60 gondolier singers, many of them pensioners. If they had to start paying union contributions from their earnings as official entertainers, he said, their state pensions might be at risk.

Some gondoliers suggested that male tourists might like to fill the gap by serenading

"Gondoliers suggest male tourists might sing themselves, if they have the voice for it"

their lady companions themselves — provided they had the voice for it, and knew the right words to *O Sole Mio* (not, however, *Just One Corsetto*, or even *It's Now or Never*).

The bureaucrat behind the new regulation, Augusto Salvadori, was unrepentant yesterday, saying the singers only sang popular Italian (often Neapolitan) songs familiar to tourists, and not

"real Venetian songs", which were dying out.

Signor Salvadori, a lawyer hired by the Venice Tourist Authority to examine possible revenue loopholes in the tourist industry, has also targeted the numerous backpackers who pour into Venice at this time of year and who sleep rough instead of providing the city with income by taking a hotel room. They were "unsuitable guests to a city of art and culture such as Venice", Signor Salvadori said.

Work has meanwhile begun on restoring another of the city's attractions. Workers yesterday began clearing rubble at La Fenice, the opera house destroyed by fire in January.

One team was creating space inside the theatre to see if the floor was strong enough to hold supports for the remaining external walls. Another was setting up a scaffolding on the marble facade, which survived.

Officials are hoping to reopen the 204-year-old opera house in three years after its reconstruction. The cost has been estimated at \$93.5 million (£60 million).

□ Controversy: The Pope urged the youth of the world to remain optimistic as he made a two-day pastoral visit to the foothills of the Italian Alps. (AFP)

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THIS WEEK

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POP

Barely a hint of the old charm left: Willie Nelson's perfunctory trawl through old hits

COUNTRY

Willie Nelson Albert Hall



Willie Nelson... Albert Hall... review...

Me and B

Review of a play or performance.

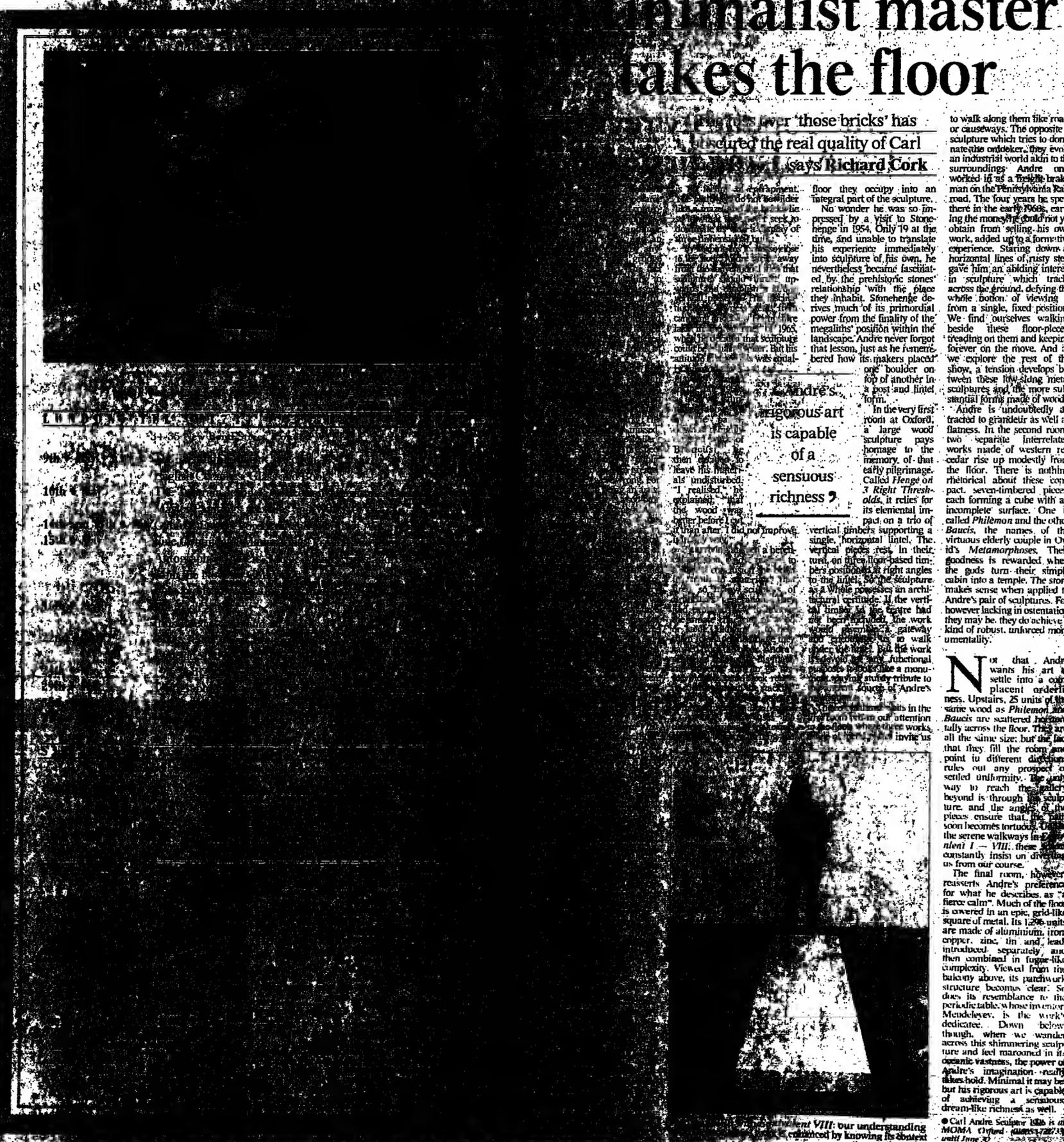
Mystery

Review of a mystery play or performance.

ENTERTAINMENTS

Various entertainment listings and notices.

Vertical text on the left side of the page, possibly a page number or date.



Minimalist master takes the floor

...over 'those bricks' has secured the real quality of Carl Andre's art, says Richard Cork

Carl Andre's art is a minimalist masterpiece that takes the floor. He has secured the real quality of Carl Andre's art, says Richard Cork. The artist's work is a minimalist masterpiece that takes the floor. He has secured the real quality of Carl Andre's art, says Richard Cork.

Andre's art is capable of a sensuous richness. In the very first room at Oxford, a large wood sculpture pays homage to the memory of that early pilgrimage. Called *Henge of 3 Right Thresholds*, it relies for its elemental impact on a trio of vertical timbers supporting a single, horizontal lintel.

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مكتبة من الأصل



POP Barely a hint of the old charm lifts Willie Nelson's perfunctory trawl through old hits



DANCE The Birtwistle festival ends with a new choreographed version of the master's music

THE TIMES ARTS



CHOICE 1 Curtain up on Mind Millie For Me, Peter Hall's Feydeau staging



CHOICE 2 Nobel laureate Seamus Heaney reads extracts from his writing

Me and Bobby and the rest

COUNTRY Willie Nelson Albert Hall

Well hello there, sang Willie Nelson, opening with one of his earliest and most enduring compositions. My, it's been a long, long time. And, as he ran through Funny How Time Slips Away at breakfast speed, he seemed set on making up for that.



Willie Nelson: threw away treasure after treasure — an apparent case of "never mind the quality, feel the set list"

all too reminiscent of Elvis Presley's renditions of early hits in his last months: obligatory songs performed too many times, the artist desperately trying to keep them interesting to himself by distorting the melody or rushing the line as the band struggled to keep up. On Me and Bobby McGee, the band watched

Debra Craine reviews the closing moves in the South Bank's Harrison Birtwistle retrospective

Birtwistle and dance are not natural partners. But then the choreographer Richard Alston is not one to shy away from a musical challenge, and what greater challenge than producing an entire evening of new dance inspired by a composer who seems to delight in his own intractability?

Mysterious measures

DANCE Secret Theatres Queen Elizabeth Hall



Darshan Singh Bhuller as Orpheus and Samantha Smith as Euridice in Orpheus Singing and Dreaming

and out of its unique sound world, creating snippets of vivid dance that mirror the self-absorbed strangeness of the music. The dances unravel before us in unhurried phrases and then wander off stage, leaving the members of the Sinfonietta to continue their arcane dialogue behind an empty platform.

it leaves a tangible impression. Alston's taut and charged writing has a gestural magnificence and, like the music, resides deep inside torment. But whereas Birtwistle manages to create a theatrically

loaded musical language with its suggestive harmonies, Alston strains at times to match its integrity in dance terms.

It was superbly performed, however, by the Sinfonietta (conducted by Diego Masson), by Darshan Singh Bhuller and Samantha Smith (the dancers), and by the soprano Nicole Tibbels, who not only sang powerfully but moved with the grace of a dancer.

LONDON

ROYAL PHILHARMONIC ORCHESTRA The distinguished soprano Alicia de Larrocha appears with the RPO under Sir Charles Mackerras in a programme featuring Dvorak's New World Symphony, and Mozart's Piano Concerto No 20 and Symphony No 38, Prague. Barbican, Silk Street, EC2 (0171-638 8811 7.30pm)

TODAY'S CHOICE

A daily guide to arts and entertainment compiled by Marit Hergle

ELSEWHERE

BIRMINGHAM Visit by the distinguished Russian State Philharmonic Orchestra, under its conductor Valery Polyansky. The programme offers an exciting selection of great Russian classics with works by Tchaikovsky, Prokofiev and Rachmaninov. With soloist Julia Kissio. Symphony Hall, Broad Street (0121-212 3333) 8pm

THEATRE GUIDE

Jeremy Kingston's assessment of theatre touring in London

CHAPTER TWO Tom Corle and Sharon Gless play unattached New Yorkers who find themselves each other in Mel Brooks's comedy. Not in bed. Gilded, Shaftesbury Avenue, W1 (0171-494 5055) Mon-Fri, 8pm; Sat, 9.15pm; Sun, 2.30pm, 7.30pm

LONDON

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CINEMA GUIDE

Geoff Brown's assessment of films in London and elsewhere indicated with the symbol: (L) on release across the country

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Day one of a two-part series: Where our teachers have gone wrong...

why can't our children READ?



- TODAY**
- Confusion in class — is phonics the answer?
- TOMORROW**
- How should our children be taught?

Schools fail the key test

THE ROOTS OF THE PROBLEM

Nothing that follows in a child's education is as vital as learning to read. Without that initial building block, success in other areas is all but impossible. Yet it has been obvious for decades that many English schools have been failing this key test.

A report on three inner-London boroughs. It will paint a sorry picture of underachievement, with almost four out of five children unable to read as well as they should by the age of seven.

Islington, Southwark and Tower Hamlets are hardly typical of the country, and the report may not do justice to the language barriers many of their schools face. But the conclusions it will reach on the confused way reading is taught will strike a chord with parents everywhere.

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Today controversy over the teaching of reading will erupt again, as the Office for Standards in Education publishes a report on three inner-London boroughs. It will paint a sorry picture of underachievement, with almost four out of five children unable to read as well as they should by the age of seven.

Islington, Southwark and Tower Hamlets are hardly typical of the country, and the report may not do justice to the language barriers many of their schools face. But the conclusions it will reach on the confused way reading is taught will strike a chord with parents everywhere.

But the malaise goes much deeper. As with so much in education, part of the explanation can be found in the home. Many parents no longer read



Learning to read is a vital building block in a child's education, yet many English schools are failing in this area

to their children and when research has shown that at least a quarter of children learn to read at home, schools are bound to feel the draught. Still, they might cope if there was real quality in the classroom. Instead, confusion reigns. In reading above all, ideological battles have been fought with little care for the young lives caught in the crossfire. Experts, including Mr Woodhead, agree that teaching reading successfully demands a mixture of strategies. Once the basics have been mastered, word recognition has an important role to play. But phonics, the practice of decoding words by sounding out letters, must be at the

heart of the process. To parents who have taught their own children to read, that must appear one of the great truisms of education.

Yet it has been the subject of the most bitter educational debate of the Nineties. Most of the teachers who packed lectures by Frank Smith, the American champion of the "real books" theory, are still in primary schools. They have lost the argument. The revised national curriculum, which is generally silent on teaching methods, stipulates that phonics must be used to teach reading. But it does not follow that traditional

methods are being applied with enthusiasm or competence. Primary school teachers are the masters of their own classroom. Many still regard phonics as dull and old-fashioned, an approach to be endured before the real learning begins.

The London boroughs report and others before it suggest that many primary teachers are simply confused by their training. At Charlotte Mason College, an outpost of Lancaster University, inspectors found that students were inadequately prepared to teach reading and could neither stretch the brightest nor support strugglers. Teacher training departments were the

JOHN O'LEARY DAVID CHARTER

Answer may be a mix of styles

BASIC METHODS

SCHOOLS use three main methods to develop reading which are, in practice, usually blended by teachers to suit the needs of individual pupils.

For parents, the advice is simple: spend time reading with your child and show by your own enjoyment of the book, or the words to learn, that reading is fun.

Teachers starting with toddlers often begin with the phonics approach, to build up an understanding of the mechanics of word formation. The component parts of words are spoken by the teacher and repeated by the pupils as they construct words. Dr Joyce Morris has identified 44 different consistent sounds in the English language. Pupils are introduced to more difficult words as their confidence increases.

Look and say is a practice which aims to get children repeating the sound of whole words, without breaking them down. Their ability to read is built on their knowledge of individual words.

The real books method, often portrayed as the opposite of phonics, is used to encourage infants first to enjoy stories and the content of a book as a whole. They will read or listen to stories, and difficult words need not be explained at the time, so long as the child appreciates the meaning of the book.

Parents can easily try all three methods at home, and most probably do so unconsciously, says Anne Barnes, general secretary of the National Association for the Teaching of English.

Teachers use all these methods and work out which suits a particular child at a particular stage. The best advice to parents is to read a lot to your children and enjoy the books yourself.

In schools using the Montessori method, the teaching of reading is based on words learnt by the phonic system, including books where phonic words are used in context. Children are introduced to reading from the age of four.

In Britain's dozen Steiner schools, based on the theories of Rudolf Steiner, children are not introduced to books until they are aged six. They first hear stories told from memory by their teacher, and learn the alphabet by forming letters in the air and then writing them down.

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JFK's chair

Kennedy's sexual appetite may have stemmed from his drug dose

PRESIDENT Kennedy took his rocking chair with him wherever he travelled. Like many people with a damaged back he suffered if he had to sit for any length of time in either a very soft chair or a straight, hard-backed one. By rocking his chair, he could vary the pressure exerted on those parts of his spine that had been injured during the war.

increased pigmentation in the person's complexion, moles and freckles become darker, even black, and the creases in the palms become pigmented. Even the mucous membranes, including the insides of the mouth and lips, show patches of dark blue.

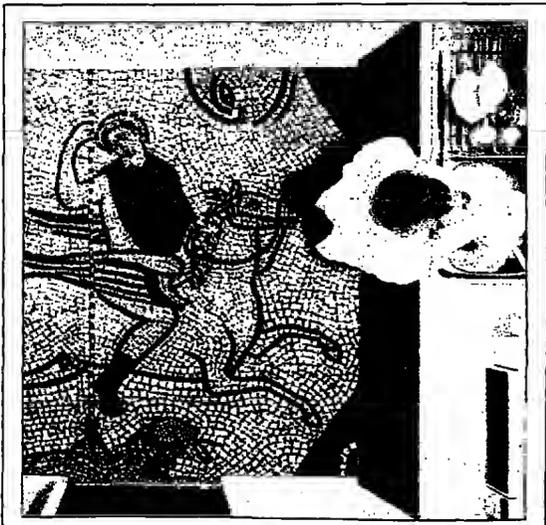


DR THOMAS STUTTAFORD

Any patient is in danger as the weakness gradually affects the heart, and hence the circulation. There is also always the hazard of an Addisonian crisis, a condition in which the lack of steroids undermines someone's ability to withstand infection or severe stress.

After the 1950s, when the chemistry of steroids was understood, and synthetic and artificial steroids became available, it became possible for patients to have a normal life expectancy. There is, however, some difficulty in prescribing just the right dose and this must have been the case when the President first started treatment. Many pictures of Kennedy taken at the time show the over-rounded face associated with steroid over-dosage. Over-dosage can also be associated with psychiatric symptoms and emotional changes and often results in depression or mania.

It is usual to attribute President Kennedy's notorious philandering to the Kennedy genes, but perhaps it should be attributed to an incorrect dose of steroids. Too little and the President would have been dezing in his rocking chair; too much and he might have made another conquest.



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PHONICS

EXPERIMENT

How well do our children read? How well are our children taught to read? Last month, Sir Claus Moser, an Oxford don and educationist, added fuel to fears about underachievement in our schools when he said standards had slipped lower than ever.

There is a widening division, he said, between the "good educational lives of the few and the poor ones of the many". If this is true, can parents assume that their local primary is providing even fundamental teaching in the basics? Is reading, the cornerstone of education, prioritised in our primary schools?

It is safe to assume that an intelligent child will find a way to read whatever the circumstances, but has the way children are taught to read changed for the worse, or have we just raised our expectations? One woman who claims to know the answer is Dr Joyce Morris, a child psychologist, former teacher and literacy specialist who has spent 40 years campaigning for improvements in teaching initial reading.

Along the way, she claims to have discovered a phenomenon that has directly contributed to the high proportion of illiteracy in school-leavers. It is "phonics phobia", a fear of teaching reading by the phonic method. This form of teaching highlights the major spelling patterns in English, making explicit the relationship between speech sounds and graphic symbols.

Dr Morris believes the past 30 years have seen an erosion of this way of teaching, to be replaced by less structured, and ultimately less successful, methods. While studies in schools have suggested phonic teaching as the best means of establishing early literacy, Dr Morris believes politically correct ideology has been allowed



Winklet Smith with her children, Cherele, nine, and Daniel, eight, who took part in an intensive reading experiment last summer (see right)

to triumph over common sense. "Research in the 1960s showed that if children do not master basic reading before the age of eight, they have only a one in eight chance of becoming effective readers later on. Now many children who leave school having been taught by alternative methods are suffering, and have not even mastered basic reading."

Dr Morris, who spent many years as the head of the Reading Department at the National Foundation for Educational Research in England and Wales, is convinced of the importance of early learning the phonic way. "The nature of the alphabet writing system of languages such as English, French and German means that their word patterns need

to be taught systematically. It is ridiculous when people turn their back on what is basic to the alphabet system." Dr Morris became a teacher as soon as she left school, where her idealism was shattered when she realised she had little knowledge about teaching others to read. She claims she encountered resistance against phonics as

long ago as the 1940s, when she remembers a school inspector denouncing the "old-fashioned" phonic methods then used by infant teachers. Since then, she believes, radical ideology and a move away from structured teaching to a child-centred, "progressive" approach has led to a fierce battle between educationists for the hearts and minds of teachers.

"Some people resent teaching the phonic system because they themselves were taught it badly. They are indignant to teach in a way that they first experienced as an incomprehensible, boring activity. It is not really politically correct to be seen to teach phonically because it hammers away at knowledge in a very explicit way. I believe in structured teaching, but people who do are often believed to be politically to the right. I think they're just right."

"If you don't get the basics right then other teachers have a fight ahead. If you teach phonics correctly you can imbue a child with a love of language. It seems ironic that we can send a man to the Moon and yet we can't teach children to read and spell."

KATHRYN KNIGHT

Winklet Smith came to England from Jamaica with her parents 29 years ago. Now 39 and a single mother, Ms Smith struggles to bring up her three children on a dreary housing estate in north London. An avid reader, she is passionate that reading skills provide the foundations for a better future for her children.

However, when asked if she would like her eldest children, nine-year-old Cherele and Daniel, eight, to take part in a reading experiment during the summer holidays, she was initially dubious. "I was told that in two weeks the teachers could improve the children's reading age by up to a year. I didn't think it was possible to achieve such a drastic improvement, but I let them try."

In the end she was delighted: "Their achievements and their confidence in reading were boosted. They both thoroughly enjoyed the fortnight and learnt such a lot."

The person responsible for such a transformation is Irene Tyk, headmistress of the private Holland House Preparatory School in Harrow, north London. In just two weeks last year, Mrs Tyk and her husband George turned a group of children, some of whom were barely literate, into capable readers, teaching them using the traditional phonic method.

During their time in their makeshift classroom on the Mozart estate last summer, the 30 youngsters aged 6 to 13 increased their reading age by an average of 13 months.

Mrs Tyk believes their improvements can be attributed to phonic teaching. "English demands that you teach phonically," she says. "There are letters, they have sounds. And until you know these sounds and how to blend them, you can't read."

The Tyks have been running private intensive reading courses for several years. After being approached by,

Katie Ivens, a member of Westminster council, she agreed to run the reading experiment.

Some of the children were reasonable readers, some were barely literate. They were divided into two groups according to ability and were taught for three-and-a-half hours a day over ten days. They were taught sitting in rows, said "good morning" to their teacher every day and were disciplined with stern words if they misbehaved. "They weren't used to having their work marked. The notion of right and wrong answers and of learning things and having them tested was strange to them," says Mrs Tyk.

However, the children reacted well. "When they realised how quickly they were learning, they became quite excited," she says. "They were subjected to a blast of rigorous but enjoyable work." One girl aged eight increased her reading ability

by two years. Others who were initially unable to read at all mastered basic literacy by the end.

"Phonics is seen as teacher-centred because it involves imparting knowledge to children and goes against the trend of child-centred teaching," says Mrs Tyk. "But it works."

Ms Smith is in no doubt about the value of the course. "Cherele loved every aspect because she was encouraged to explore different avenues, like poetry. She now finds reading much more exciting," she says. "I enjoyed it," says Cherele. "I learnt to put my English into proper sentences and also learnt more words. It was hard because we had to do about 60 or 70 spellings a day, as well as learn poetry. But it was worth it."

KATHRYN KNIGHT



Irene and George Tyk: great success

The test your seven-year-old will face

TO REACH the average reading grade for seven-year-olds, level two in the national curriculum tests, the child has to read a short passage aloud and answer several questions verbally to show how well they understand the story. They will be asked to describe in their own words what happened in the passage and predict what might happen next.

A higher ability seven-year-old could be entered for level three, the standard expected of the average nine-year-old, by taking a comprehension test which involves reading a longer passage and answering written questions. Separate grades for reading are not given in the test for 11-year-olds.

READING STANDARD

"Your kitchen sink is filled with dirty dishes," said Frog.
"Tomorrow," said Toad.
"There is dust on your chairs."
"Tomorrow," said Toad.
"Your windows need cleaning," said Frog.
"Your plants need watering."
"Tomorrow," cried Toad. "I will do it all tomorrow!"
Toad sat on the edge of his bed. "Blah," he said. "I feel down in the dumps." "Why?" asked Frog.
"I am thinking about tomorrow," said Toad. "I am thinking about all of the many things that I will have to do."
"Yes," said Frog. "tomorrow will be a very hard day for you."

DAVID CHARTER

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PHONIC SENSE

The educational scandal that is all around us

Unless teachers have been properly taught how to teach, how can they teach children how to read? The message from Ofsted's shocking report on reading standards, to be published today, is that too many teacher training colleges knock the common sense out of their students and replace it, if at all, with misguided dogma. The result: in the London boroughs of Islington, Southwark and Tower Hamlets, 80 per cent of seven-year-olds are reading at a level below their chronological age. By eleven, 60 per cent are still lagging, and the majority of those are at least two years behind.

Little is more fundamental to the success of a nation or of an individual than literacy. If our children do not learn to read adequately, almost everything else in life is denied them. Yet, as our series beginning today on page 14 shows, reading standards in schools are no better than they were 50 years ago and have fallen in the past decade.

Cris Woodhead, the Chief Inspector of Schools, is determined to find out why this is so and to suggest ways in which it can be put right. His report today will point to the importance of learning the sounds of letters (the method known as "phonics") as a building block to mastering reading. It will also recommend that teachers spend more time teaching whole classes or groups the basic skills needed for decoding the written word.

If this sounds like common sense, it is. Yet our series shows how much more loudly the message of common sense needs hammering home. Many teachers have been taught that phonics is old-fashioned and didactic, and that, left to their own devices, children will somehow absorb the art of reading. Some favour the "look and say" approach, which teaches children to recognise whole words. But how are they then to read words that they have not encountered before? English is not a language of hieroglyphics or

pictograms; it is built up from individual sounds. Why deny children the ability to piece together a whole word from its constituent parts? The worst sufferers from this dogmatic scandal are those children whose parents cannot or will not compensate for the inadequacy of the classroom.

Phonics may have won itself a bad name in the Fifties, when reading lessons resembled an army drill. But the best schools today use the method far more imaginatively. Of course there is a place for "real" books in a classroom, but only as an adjunct to a properly thought-out teaching method.

Mr Woodhead, despite the squeals of the teaching profession, has done parents a service in bringing poor reading standards to the nation's attention. But what can now be done to improve them? The newly established literacy centres will help to disseminate the methods that clearly work. And reports such as today's should be read by all who teach in primary schools. But more must surely be done in teacher training colleges to acquaint teachers with the most effective practices, free from ideological prejudice.

Meanwhile, Mr Woodhead needs greater powers to step up his campaign against the mediocre. His inspectors should be allowed to conduct their own standardised tests on children to assess how much is being learnt in a school. And he should be permitted to expand his remit to local education authorities themselves, which control 10 per cent of the schools budget.

As for charges that he is politically biased, this is a slur on the left. Wanting to raise school standards is not a monopoly of the Right, as David Blunkett, Shadow Education Secretary, would attest. Mr Woodhead is not on the side of any political party; he is on the side of parents, children and the national interest. On whose side are the teachers who criticise him?

VOTES AND SPIES

Tit-for-tat expulsions could cost Yeltsin dear

Russia's announcement that it is to expel a number of British diplomats for spying is a sobering reminder of what has changed since the collapse of communism and what has not. Visceral distrust still marks relations between Moscow and most Western countries. Obsessive secrecy still shrouds decision-making in the Kremlin. The Russians are still suspicious of Western intentions, fear encirclement by enemies and believe that their security can be safeguarded only by the vigilance of their intelligence services. Xenophobia mixes in equal measure with paranoia; the Russians still see the world as a huge conspiracy. Long conditioned to inform on their neighbours, they see espionage as the real motive of almost all foreigners in their country.

There were hopes in some quarters that with the fall of communism, the level of Russian espionage would also fall: the end of the ideological struggle might, it was thought, have created less need for either side to engage in covert activity to penetrate the secrets of its global rival. Such hopes have been sorely disappointed. Russian espionage has, if anything, increased: the Federal Security Service, the reconstituted KGB, has maintained virtually all its directorates and foreign operations. Russian spies are active in industrial, commercial and military fields. Western counter-intelligence is now struggling to keep up with the proliferation of Russian espionage.

The West, for its part, has also maintained its operations in Moscow. Indeed, with political factions competing for influence, a rapid return to traditional secrecy and a struggle between pro-Western reformers and those plotting a return to the hardline past, Russian policy is as opaque as it ever was during the frozen years of communist rule. At a time when the West is trying to encourage reform and discreetly influence the power struggle from outside, the need to

know what is going on is greater than ever. Western intelligence services would be failing their governments if they did not provide the political framework which the Russians are still unwilling to reveal.

Under the unwritten rules of the game, neither side admits to such intelligence-gathering. The Russians, suspicious and secretive, believe little that is not covertly obtained. They equate power with secrecy, and impute to the West their own methods. Laughably, this leads their agents abroad into encrypting information openly obtained in order to make it more credible to the Kremlin. They expect the West to do the same. But political thaw, democratic reform and a realisation that the clichés of communism are outdated have led to greater sophistication in Moscow. There are the beginnings of co-operation with Western Intelligence on the common threats of drugs, organised crime and nuclear smuggling. A covert gentlemen's agreement now exists, though each side still expels those caught red-handed and severely punishes its own citizens serving a foreign power.

Why, therefore, has President Yeltsin decided now to expel British diplomats in a blaze of publicity that is bound to anger London, risk tit-for-tat retaliation and endanger the present warm political relations? The answer lies in election politics. Mr Yeltsin is struggling and needs to woo nationalists and those nostalgic for the old days of superpower status. What better tactic than to strike out at spies and enemies? Britain is the easiest target: a confrontation with America or Germany is too risky, and John Major looks more expendable than President Chirac. His game may misfire. There is no wish here to see Mr Yeltsin defeated. But he must know that such an action risks an exposure of Russian spying in Britain. A new round of expulsions would exact a high price for Mr Yeltsin to pay.

OOH AH MANCHESTER

City deserves glory as well as its team

For most of the world, Manchester today means football. Manchester United deserved to win their third FA Premiership title in four years, though Newcastle gave the Mancunians a thrilling run for their money. But soccer idols such as Eric Cantona and Ryan Giggs are not the city's only heroes.

As capital of the Industrial Revolution, Manchester was the most revolutionary city on the globe from the late 18th to the early 19th century. With a fortune built on cotton, coal and the Ship Canal, it was admitted and visited from far and wide as the workshop of the world. The rest of the world (though not, oddly enough, the British) still speaks of "Manchester liberalism", the gospel of free trade according to Richard Cobden, John Bright and the Anti-Corn-Law League. Even socialists, such as Friedrich Engels, flocked there to learn how capitalism worked.

With the decline of industrial Lancashire in the early 20th century, Manchester went into eclipse. But over the last two decades the city has experienced a remarkable renaissance that deserves wider recognition. The architecture remains as resplendent as ever: the magnificent Town Hall and Free Trade Hall, the imposing Cathedral and a clutch of wonderful libraries including Chetham's, the first free public library in Europe. To this legacy has been added the most innovative

approach to infrastructure in the country. Manchester is no less distinguished as a beacon of the arts. The Hallé Orchestra, the Royal Exchange theatre, and the School of Music are reminders that the city has always valued high culture, while its most famous band, Oasis, bestrides the world of popular music. Home to one of the first and best of Britain's modern universities, Manchester now boasts two more. Its Chinatown has led a boom in sophisticated cuisine. Even tourism has become a significant force, based around the Granada TV studios and Coronation Street. Quietly, Manchester is re-emerging as a great urban centre.

Sport, then, is but one of many virtues existing here. But Manchester United is more than just a football team. It is a world-class team, known around the globe. It brings glamour and magic to this northern capital. Many Mancunians actually support Manchester City, sadly relegated at the weekend. But all are proud of the team that puts them on the map. If United go on to defeat Liverpool in the FA Cup Final next Saturday, they will complete an unprecedented second double in the space of three seasons. The club might then remember what it owes Manchester, as it displays the silverware in the traditional trip through the splendid streets of this stellar city.

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9KN Telephone 0171-782 5000

'Flawed' inquiries into police conduct

From Mr Sadiq Khan

Sir, On April 27 you reported that in the space of less than four weeks the record for the highest-ever award for damages by juries against a police force in the UK had been smashed twice. In both cases, the force was the Metropolitan Police, and in both cases the kneejerk reaction of the Commissioner was a statement that he will appeal against the amounts awarded.

I believe that the way allegations of misconduct against police officers are investigated is flawed and inadequate, and that complainants will continue to seek recourse to the civil courts as long as the complaints system remains unsatisfactory.

Juries in civil cases are very rare. They have a special constitutional function in actions against the police, deciding first whether the plaintiff has proved his case, second the amount of compensatory damages to be awarded, and third whether exemplary damages should be awarded and, if so, for how much.

I recently acted for Kenneth Hsu, the London hairdresser who was awarded £220,000 for wrongful arrest and false imprisonment (report, March 29). I am sure the jury decided to award such a high figure for exemplary damages (£200,000) because they wanted to send a message to the Commissioner that this sort of behaviour from his officers is unacceptable. Moreover, the inference from the jury's findings must be that they believed that the police officers were being untruthful under oath.

In Mr Hsu's case, the Police Complaints Authority has refused to reopen internal investigation against the police officers, despite the record damages awarded. No police officer has been or ever will be disciplined for the assault, false imprisonment and racial abuse dished out to Mr Hsu.

Does the Commissioner's decision to appeal against the decisions of four separate juries in London over the last four weeks mean that he has not taken heed of the signals these juries are sending to him?

Yours faithfully,
SADIQ KHAN,
Christian Fisher (solicitors),
42 Museum Street,
Bloomsbury, WCI.
May 3.

CPS reforms

From the National Convenor of the Crown Prosecution Service

Sir, I write in response to the article on the Crown Prosecution Service by Neil Addison, headed "The public deserves more" (Law, April 30).

The CPS section of the Association of First Division Civil Servants represents the lawyers in the FDA. Those lawyers, too, believe that the public deserves more than they now feel able to provide in terms of an effective and proper prosecuting service.

As a matter of policy the CPS has not recruited lawyers for two years, during which time, of course, a considerable number of lawyers have left. In addition, so far as the more experienced and senior lawyers are concerned, there has been a strategy to lose considerable numbers of them and turn those who remain into managers.

As a result those lawyers who remain involved in prosecuting case-work no longer feel that they can serve the public interest and the interests of justice. This very moderate highly professional and extremely responsible group have now decided to make a public stand to try to protect that public interest.

Mr Addison refers to the present attitude governing the CPS as being one of "work and obey". The CPS lawyers I represent are therefore showing a good deal of courage in making this stand, and I hope that they will receive and enjoy the wholehearted support of the public whose best interests they are seeking to protect.

Yours faithfully,
KEVIN GOODWIN
(National Convenor, CPS Section),
Association of First Division
Civil Servants,
2 Caxton Street, SW1.
May 2.

High society

From Mr Raymond Woodall

Sir, My pleasure on reading the announcement of our daughter's engagement in your Fortcoming Marriages column today was considerably heightened by the fact that it had been given pride of place at the head of the list. Then it dawned on me that this was simply because her fiancé's name, A. J. Cottrell, ranks high alphabetically.

My wife (née Ulyatt) and I have been resigned throughout our lives to becoming more or less at the bottom of any list (and were often condemned to the back row in the form-room) because of our lowly alphabetical position. I now realise more than ever what a splendid choice our daughter has made: not only is he a thoroughly nice person but he will take her straight to the top of most lists — always provided she does not decide to adopt a hyphenated name.

Yours faithfully,
RAYMOND WOODALL,
Athena, 3 Mill Paddock,
Abingdon, Oxfordshire.
April 30.

Conflicting attitudes on nation state

From Mr Rodney Leach

Sir, Sir Roy Denman, in his letter of May 1, gives three reasons why Britain should fully embrace the emerging European state as opposed to negotiating free trade arrangements with it.

1. Politically we would count for nothing outside the EU and the US President would no longer bother to visit London.

Faced with a choice between independence and occasional presidential visits I imagine most adults would prefer independence. Besides, Britain would be the fourth largest economic power in the free world and the third largest military power: might not such a country be worth as much diplomatic attention as a sub-region of a United States of Europe?

2. A free trade arrangement would be possible only on EU terms.

But if it suited a Europe bent on unification to part company with a Britain determined to use its veto to preserve the nation state, why should the two parties not approach each other on civilised, amicable, equal terms? After all, the EU would be the supplicant.

3. The EU might retaliate if the pound devalued.

Yet there has been no retaliation against the US for the massive devaluation of the dollar — and retaliation would be a breach both of European treaties and of Gatt rules. Would Sir Roy think it reasonable for Britain to threaten retaliation if the euro devalued against the pound? This whole concept is no more than a product of bad-tempered bluster.

Europe needs our market, with which it has a trading surplus, even more than Britain needs the European market. But of course we need each other. That is why, if it ever came to the point of separation, which it has not yet, there is nothing for either side to fear.

Yours faithfully,
RODNEY LEACH
(Director, Jardine Matheson),
3 Lombard Street, EC3.
May 1.

From Mr Walter Cairns

Sir, Sir Roy Denman's letter on Britain's options in the EU contains two assumptions which do not stand up to close scrutiny.

First, he states that Britain could have a free trade arrangement with the EU only on the same terms as those formerly offered to the European Free Trade Association coun-

Imposing limits on the Lords

From Lord Strabolgi

Sir, I believe the most satisfactory way to curtail membership of the Lords by birth, on the need for which most people are agreed (report April 25; letters May 1), would be for this hereditary right to cease on the death of the present holder.

As about 25 hereditary peers die every year there would be a rapid reduction in numbers within just two Parliaments. Few hereditaries would be left in the Lords today if such a provision had been included in the 1958 Life Peerages Act.

A moderate reform Bill of this kind would allow many useful and hard-working hereditaries, on whom much of the work of the House depends, to remain members during their lifetimes. It would also avoid the unenviable task of selecting certain hereditaries to be created life peers on a quota system as planned by Labour, which could lead to accusations of nepotism and unfairness.

Such a proposal would result in a Tory majority in the Lords for some years, but a Labour government could rely on the Salisbury Addisdon Convention, whereby the Lords do not reject the manifesto commitments of a Labour government, and the Parliamentary Acts to ensure their legislation was not obstructed.

Yours faithfully,
DAVID STRABOLGI (Deputy Speaker and Deputy Chairman),
House of Lords,
May 4.

From Viscount Mountgarret

Sir, Mr Murray-Pearce (letter, May 1) advocates only one House of Parliament. If that came about there would be nothing to stop a Government voting to extend its life indefinitely.

At present the Lords retains the absolute power to block such a move. It is essential therefore that there is a second chamber with such powers amongst others. Either that chamber should be the House as constituted or replaced by a House entirely divorced from patronage or election. It may be that the present arrangements meet this fundamental point.

Yours faithfully,
MOUNTGARRET,
House of Lords.

Master or servant?

From Mr Nick Royle

Sir, No wonder "Europe", and in particular the European Commission, continues to irritate many people.

Geoffrey Martin, described as "head of representation of the European Commission in Britain", states (report, May 2, later editions): "Everyone in Britain, whether they like it or not, is a citizen of Europe."

One would have thought by now the Commission would be striving to avoid irritating the common man and woman in this country. Such comments are likely to raise the blood pressure of a great number of our fellow subjects and beg the question of why we need and what is the function of the head of representation.

Unless the EU starts behaving more like the servant of the nations of Europe and less like the master many people will endeavour to frustrate its efforts, even those which have merit.

Yours sincerely,
NICK ROYLE,
Lomb Place,
Stow-on-the-Wold, Gloucestershire.

English wine with British beef, bitte

From Professor Alec Eden

Sir, Whilst those responsible at 10 Downing Street are to be commended for serving British beef at the lunch for Chancellor Helmut Kohl (report, April 30), it is a great pity that they did not demonstrate the same commitment to our excellent produce in their choice of wines.

Perhaps in offering his German guest a Riesling Spätlese produced on the banks of his native Mosel to accompany the smoked Scottish salmon, John Major intended to pay a compliment to our European partners.

How much more appropriate to have served one of the many first-class white wines now available from English vineyards.

I adopted this practice almost 20 years ago when living in the city of Uberlingen on Lake Constance, which can document its flourishing wine production from the 12th century. As host to a formal dinner attended by many civic dignitaries — including the local Kellermeister — I ensured that the trifled mousse of grayling from

the waters of that beautiful lake was accompanied by a Chilsdown Müller-Thurgau from the Paget Bros vineyards in my native West Sussex.

The surprise of my German guests was exceeded only by their compliments for this englischer Spitzenwein, which encouraged me to serve it with equal success on several future occasions.

Having now retired to this country after almost 30 years in the Federal Republic, my wife and I continue to exchange visits with our German friends. We recently arrived for dinner at the home of the Oberbürgermeister bearing some bottles from the Sharpsham vineyard near our new home in Devon. This was compared favourably with some of Germany's more prestigious wines.

It's a shame that Chancellor Kohl was denied this possibility.

Yours faithfully,
ALEC EDEN,
The Thatched House,
Mead Road,
Torquay, Devon.
May 1.

Tasmania's past

From Associate Professor Roderick P. Power

Sir, Mr Gordon Wise (letter, May 1) states that by 1876 there were no Tasmanian Aborigines. This is a current view, if Aboriginal means 100 per cent Aboriginal descent, but by that criterion there are relatively few Australian Aborigines.

Aboriginality now means claiming Aboriginal descent, and being accepted by a community as Aboriginal. By these criteria, there were some 2,000 Australians claiming to be Tasmanian Aborigines in 1981. By now there would be more.

They are descendants of white whalers and Aboriginal women who lived on the Cape Barren Islands in the Bass Strait. Some are active in promoting their perception of community goals in Tasmania.

Many Australians believe the last "full-blooded" Tasmanian Aborigine was Truganini, a woman who died in 1876. In fact, the last was Suke, a woman who lived on Kangaroo Island, and died there in 1983.

Yours faithfully,
ROD POWER, Head,
School of Behavioural Sciences,
Macquarie University,
New South Wales, Australia.
May 2.

Animal transplants

From the President of Doctors and Lawyers for Responsible Medicine

Sir, Your report of May 1, headed "Doctors fear fatal viruses in pig organ transplants", contains an unwarranted slur on our organisation by Imutran, the breeder of so-called "transgenic" pigs.

Our membership comprises practising physicians, scientists, veterinarians and lawyers in a variety of fields and disciplines. Concerns over the transmission of viruses from animals to human beings are shared by prominent scientists and virologists around the world.

Imutran's claim that it would not proceed to human trials before the procedure was known to be safe seems implausible. Presumably the company intends to carry out more trials with pigs and monkeys.

The creation of transgenic animals is itself an experiment; the transplantation of organs from them to human beings would be another experiment, compounding the risks. Imutran's first human test would be yet another experiment.

It is scientifically impossible to prove the safety of such a procedure, making human beings the ultimate "guinea pigs" of what we regard as a reckless science.

Sincerely,
ANDRE MENACHE,
President,
Doctors and Lawyers for
Responsible Medicine,
1046 Weston Park, N8,
May 3.

Lottery troubles

From the Chairman of the National Council on Gambling

Sir, Clearly the obligations of the Director General of the Office of the National Lottery (Oflot) to maximise revenue constrains his ability to deal with public-interest issues adequately (letters, May 2, 4; report, May 3).

The present statutory arrangements make this inevitable, since the promoters wish to expand the market and the National Heritage Department desires more revenue. Public interest pressures are not as great.

In practice, revenue maximisation has become an overriding duty and the arrangements make it difficult, if not impossible, for the director general to regulate in an even-handed way. Such a combination of roles is not found in the statutory powers and duties of other regulators. Clearly, the director general's statutory terms of reference need to be amended to give him an overriding obligation to take account of the public interest.

Yours faithfully,
E. MORAN, Chairman,
The National Council on Gambling,
As from Grovelands Priory Hospital,
Southgate, N14.
May 4.

Doll disease

From Mrs Frances Baird

Sir, I doubt if the doll disease diagnosed by Dr Howell Edwards and his colleagues from Bradford University constitutes the kind of threat you describe ("Fatal infection strikes down middle-aged dolls", May 3).

Hard plastic dolls that have been cherished and carefully stored are not likely to succumb to such degeneration. Many modern substances can trigger the disintegration process — lubricating oils, paints, glues, polishes, perfumes, hair spray, nail varnish, not to mention damp if they are stored in attics, sheds or garages.

Our members have thousands of these beautiful British hard plastic dolls, all in mint condition. As the British Doll Collectors' Club celebrates its 50th anniversary this year nostalgia for childhood dolls, especially among 50-year-olds and over, is growing daily.

Yours etc,
FRANCES BAIRD (Editor,
British Doll Collectors' News),
The Anchorage, Wrotham Road,
Meppan, Kent.

Dainty dish

From Mr Rex Chapman

Sir, Yes, rats are edible (letter, May 2), and Army Middle East survival manuals issued at least until the 1960s listed them as such. However, the advice given was that the tail should not be eaten.

Sincerely,
REX CHAPMAN,
Fairways, North Foreland Drive,
Skegness, Lincolnshire.
May 2.

Letters that are jotted for publication should carry a daytime telephone number. They may be sent to a fax number — 0171-782 5046.

OBITUARIES

CARDINAL LEO JOZEF SUENENS

Cardinal Leo Jozef Suenens, Archbishop of Malines-Brussels, 1962-79, died yesterday aged 91. He was born in Brussels on July 16, 1904.

Leo Jozef Suenens was a man of stature in the Roman Catholic Church for more than two decades. He came to prominence in the early 1960s when Pope John XXIII called the world's bishops to Rome for a council which lasted four years and became known as Vatican II. The Pope's aim was to modernise the Church, as he put it, "by opening the windows and letting in the fresh air".

The Pope found in Suenens a man of similar views to his own — and especially so in his hopes for church unity. For John XXIII Suenens had an additional advantage: he could express an idea well on paper, putting it down quickly and succinctly. When the first session of Vatican II fell into organisational chaos under its weight of documents, it was Suenens who was called upon to restructure it.

In 1963 Pope John, then a sick man, was unable to go to New York, to present his peace encyclical *Pacem in Terris* to the General Assembly of the United Nations. He sent Suenens instead to New York to present it to the UN.

In 1967 Suenens became the first Cardinal in over 400 years to preach in Canterbury Cathedral — and the first to stay at Lambeth Palace since the days of Cardinal Pole, who was Archbishop of Canterbury in the reign of Queen Mary in the 16th century. In the drawing room at the palace there is today a picture of Cardinal Suenens' cathedral at Malines.

Two years later he was also the first Cardinal since the Reformation to occupy the pulpit in York Minster. An unusual historical connection exists between the archdiocese of York and that of Malines-Brussels. In 1921 Lord Halifax led a party of theologians to Malines, at the invitation of Cardinal Mercier, to discuss the bringing of the Anglican and Roman Catholic communions closer together. The talks became known as "The Malines Conversations" and went on for five years, coming to an end with the death of Cardinal Mercier.

They are commemorated at York Minster by a bronze plaque presented by Cardinal Suenens and unveiled by him and Dr Donald Coggan, at the time Archbishop of York. There is another memento. On his deathbed (in the house in the rue des Cendres where the Duchess of Richmond had given the Waterloo Ball) Cardinal Mercier gave his episcopal ring to Lord Halifax. This has been embedded in the stem of a chalice given to York Minster by Halifax's son, the 1st Earl of Halifax, who was Foreign Secretary under both Neville Chamberlain and Winston Churchill. It is used annually on the Feast of St Peter as well as on the anniversaries of the deaths of Halifax and Mercier.

Suenens was a tall, slim, fit man with a formidable intellect, dauntless courage and a quiet-speaking voice. He generally

wore a grey suit in place of the usual Roman black, and usually without a sign of the customary red at the collar. Donald Coggan once described him as a man with an "incisive mind and possessed of a divine impatience". He could be blunt, too. He once told a conference of nuns in New Jersey to modernise their dress and to give up going to bed at 9pm, since it meant they missed people whom they were there to serve.

At Vatican II Suenens was widely reckoned as the star among the small band of monitors who presided over the proceedings. He himself had a major input in the two main documents, *Lumen Gentium*, the dogmatic constitution of the Church, and *Gaudium et Spes*, the pastoral constitution of the Church in the modern world.

Vatican II was a watershed in the history of the Roman Catholic Church. Central bureaucrats' decisions were reduced in number. Suenens pressed hardest of all for a bigger role for the bishops worldwide, for less power in the hands of the Curia. He had considerable success.

At Vatican II he had a problem with bishops wanting to make long speeches. He suggested to them that a good way to save time was not to keep referring to each other as "Your Eminence", "Your Grace" and "Your Beatitude", adding: "I see nothing in the Gospels that the Apostles addressed each other in that way." Later he had to impose time limits on the speeches, though tactfully explaining: "Otherwise we'll all be here longer than they were at Trent and I don't think any of you want that." The Council of Trent, which met in the 16th century, lasted for 18 years.

Suenens set out the work of Vatican II, as he saw it, in *Co-Responsibility in the Church*, a book printed afterwards in 11 languages. He was responsible for several initiatives himself. One was to get it agreed that bishops should retire at the age of 75. They complained that he "bounced it on them". It was a close-run thing. Afterwards Cardinal Spellman of New York said that he had voted the wrong way. He had been sleeping, he said, when the vote was called and got into a muddle. Suenens was made aware of the anger of other bishops, elderly men anxious to stay in their palaces until death. When the session broke for its customary mid-morning drink at Bar Jonah, they all made a point of avoiding him. He said afterwards with some amusement: "They treated me as if I had some very dangerous disease, nobody wanted to be seen talking to me."

He got deacons reinstated in the Church, a move that greatly helped the administration of huge dioceses, like his own with its 2,300,000 Catholics, two main languages (French and Flemish), as well as temporary visitors of differing nationalities, many of them associated with the 260 international organisations with their European headquarters in Brussels.

There were humiliations as well as successes for Suenens at Vatican II. He



sent a controversial document prepared for the Theological Commission to the printers only to discover that, by a mistake of the messenger, it had been left at the office of Cardinal Tisserant, the elderly dean of the College of Cardinals and an arch-conservative. Days passed. Suenens feared that the document had been somehow suppressed. Eventually it was returned to him full of squiggles in red ink and substituted words. The substance of the document was unaltered. Tisserant, the most accomplished of Latinists, had simply upgraded Suenens' own Latin.

In 1963 when John XXIII died Cardinal Montini of Milan, who was to become Pope Paul VI, asked Suenens to preach the eulogy. It was appropriate: Pope John was close to Suenens than to any of the other Cardinals. Cryptic wires passed between Montini and Suenens. Suenens inquired: "What language? What length?" Montini's response: "Language, you choose. Length, 45 minutes." He spoke in French.

Montini had been a longtime favourite to become Pope, and on his first appearance on the balcony to bless the crowds in St Peter's Square he beckoned the Belgian Cardinal who was standing behind to join him. Suenens at the time was being tipped to fill the job of Secretary of State. He was also talked about in influential circles as likely to be — in succession to Paul VI — the first non-Italian Pope for centuries. But neither thing was to be.

logic of Vatican II" arguing that tension was inevitable at times of great changes. Paul gave up answering Suenens' letters. He thus felt it necessary for him to speak out — not against the Pope but against his advisers and the Vatican bureaucracy. He gave an interview to the French Catholic magazine, *Information Catholique Internationale*, the most damning by a ranking prelate in modern times. The Curia, he pointed out, operated in such a way that it made the Pope an emperor, or an absolute monarch, rather than what he was, the successor of St Peter. The Pope was surrounded by men of a legalistic mentality who refused to recognise that bishops, priests and laity must all now participate in the running of the Church. He complained about repressive measures against modern theologians, the too restricted role the Church was permitting to women religious and the Vatican's failure to grasp the growth of higher education and to adapt structures to meet this change. Within days the interview appeared in 11 languages. Senior Cardinals wrote personal letters demanding a retraction or an apology. Suenens replied that he had no reason to retract or apologise.

Eventually, Rome marginalised Suenens. Pope Paul put him in charge of the charismatic renewal movement. It was growing apace, especially in the United States. But it was still not a job commensurate with Suenens' stature. He developed a formula that gave the movement focus. He came to see the charismatics as supplying stimulus to ecumenism believing, as he did, that if a few people of different faiths came together to pray, they were already united. The big meetings and the learned commissions still had a place but he had come to the conclusion that ecumenism, to take hold, would need to do so from the grassroots up.

The high point for the Cardinal came when he led 25,000 charismatics in prayer at Notre Dame University in Indiana. Several gatherings, each with congregations of more than 2,000, followed in Britain. In Dublin there were so many people that the main act of worship had to take place in the arena at the Dublin Horse Show grounds.

Suenens could, and would, discuss the latest international football match with visitors: but books were his real love, both writing and reading them. He read about six books a month. At functions he had a habit of asking people if they had read any good books lately. Then he would often read the same books himself, "especially if their choice seemed a bit surprising". Lately his choice in church books tended to be American.

He himself was still writing books past the age of 90. In all, he had 17 published, including several bestsellers. His clear articulate prose, and occasional verse, had an appeal for the person in the pew. In 1992 the Académie Française awarded Cardinal Suenens the Grand Prix de la Francophonie for his writings.

Earlier, in 1976, at Buckingham Palace the Duke of Edinburgh had presented

him with the Templeton Foundation Prize for advancing the cause of religion. The £70,000 which went with the prize, the Cardinal announced he would spend on a centre for Christian renewal in Brussels.

Suenens was a good but not an outstanding preacher. Nevertheless, he attracted huge audiences. The German bishops, when asked to make a contribution to the Munich Olympics in 1972, handed the job over to Suenens. He spoke on Christianity, science and sport. Additional chairs had to be brought in. An invitation that gave him particular pleasure was to be asked to give a university retreat at Oxford.

The Suenens family came of farming stock, his mother French-speaking, his father Flemish. Leo Jozef Suenens was born in Brussels where his father had a restaurant. His father died before he was four and he was brought up, in some poverty, by his widowed mother. An intellectual brilliance showed itself early and at 17 he passed out top, in everything, from his diocesan school. In his teens he wondered whether to be a philosophy don or a priest but eventually decided on the priesthood. He impressed Cardinal Mercier who sent him to university in Rome.

Suenens had hoped to find in Rome a spiritual life that he could relate to the movement. It was growing apace, especially in the United States. But it was still not a job commensurate with Suenens' stature. He developed a formula that gave the movement focus. He came to see the charismatics as supplying stimulus to ecumenism believing, as he did, that if a few people of different faiths came together to pray, they were already united. The big meetings and the learned commissions still had a place but he had come to the conclusion that ecumenism, to take hold, would need to do so from the grassroots up.

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The Suenens family came of farming stock, his mother French-speaking, his father Flemish. Leo Jozef Suenens was born in Brussels where his father had a restaurant. His father died before he was four and he was brought up, in some poverty, by his widowed mother. An intellectual brilliance showed itself early and at 17 he passed out top, in everything, from his diocesan school. In his teens he wondered whether to be a philosophy don or a priest but eventually decided on the priesthood. He impressed Cardinal Mercier who sent him to university in Rome.

Suenens had hoped to find in Rome a spiritual life that he could relate to the movement. It was growing apace, especially in the United States. But it was still not a job commensurate with Suenens' stature. He developed a formula that gave the movement focus. He came to see the charismatics as supplying stimulus to ecumenism believing, as he did, that if a few people of different faiths came together to pray, they were already united. The big meetings and the learned commissions still had a place but he had come to the conclusion that ecumenism, to take hold, would need to do so from the grassroots up.

The high point for the Cardinal came when he led 25,000 charismatics in prayer at Notre Dame University in Indiana. Several gatherings, each with congregations of more than 2,000, followed in Britain. In Dublin there were so many people that the main act of worship had to take place in the arena at the Dublin Horse Show grounds.

Suenens could, and would, discuss the latest international football match with visitors: but books were his real love, both writing and reading them. He read about six books a month. At functions he had a habit of asking people if they had read any good books lately. Then he would often read the same books himself, "especially if their choice seemed a bit surprising". Lately his choice in church books tended to be American.

He himself was still writing books past the age of 90. In all, he had 17 published, including several bestsellers. His clear articulate prose, and occasional verse, had an appeal for the person in the pew. In 1992 the Académie Française awarded Cardinal Suenens the Grand Prix de la Francophonie for his writings. Earlier, in 1976, at Buckingham Palace the Duke of Edinburgh had presented

William Colby, Director of the CIA, 1973-76, was found dead yesterday in the waters of a tributary of the Potomac River aged 76. He was born on January 4, 1920.

IN HIS memoirs, published in 1978, William Colby made a spirited defence of the CIA and all its works, while at the same time acknowledging a catalogue of malfeasance — often of the blackest hue — which rivalled that of its great competitor on "the other side", the KGB. Though it was relatively brief, Colby's stewardship of the CIA was as controversial as that of any of his perhaps more flamboyant predecessors.

But he had a difficult row to hoe. He took office in the dying months of the Nixon presidency. A nation shaken by the military defeat in Vietnam and the disclosures of the Watergate affair was looking for scapegoats. The CIA was a natural target for its scepticism about US institutions and agencies. Colby opted for "openness" about the CIA's activities. As he put it (with transatlantic directness if not elegance) it was time "to sluck secrecy".

Inevitably, the results of such a decision, courageous though it may have been in the circumstances, were messy and unsatisfactory, and won the CIA and its director no friends. It was simply not easy for a service whose very *modus vivendi* had been secrecy to go public overnight in the manner conceived

of by Colby. Such decisions as that of Nixon to authorise Richard Helms — Colby's predecessor at the CIA — to try to prevent the democratically elected President of Chile, Salvador Allende, actually taking power, had been carefully guarded secrets even from those high in the agency's hierarchy. The manner in which this particular revelation was made — which involved a leak to *The New York Times* and a highly-criticised, half-hearted report on the whole proceedings prepared within the CIA itself — served only to shake public confidence, without reassuring public opinion.

But the torrent of revelations and Congress investigations that took place during Colby's time at the top appeared by the end of his brief reign to have ensured that the CIA's capacity to mount reckless covert operations had been brought under the scrutiny of congressional committees, and that this previously mysterious organisation was at last in some degree accountable. It was an unprecedented public discussion of the affairs of the world's most powerful intelligence agency.

Unlike some of his predecessors in the job, William Egan Colby had spent a lifetime in covert intelligence, in the CIA and its forerunner, the Office of Strategic Services (OSS).

He was born in St Paul's, Minnesota, the son of a US Army officer. After graduating from Princeton University in 1940 he joined the US Army himself, serving

in the Parachute Field Artillery. When, in 1943, the OSS put out an appeal for French speakers Colby joined it, and in the following year was parachuted into occupied France to work with a Resistance unit. Shortly before the end of the war he was in Norway, having been dropped into the country to destroy a railway line used for transporting German reinforcements.

The war over, Colby took an LLB from Columbia University Law School and joined a New York law practice whose head happened to be William J. Donovan, a former head of the OSS. By 1951 Colby was on the staff of the American Embassy in Stockholm, from where he went, in 1953, to Rome. There he spent five years, a period of time whose length was a testimony to the importance the Americans attached to keeping the Communist Party from getting anywhere near coming to power in Italy.

Colby was a devout Roman Catholic and, as such, was often regarded as seeing the struggle against Communism in terms of a holy war against the Antichrist. But in truth he was a professional to his fingertips. Whatever his faults he was free of those manic, psychopathic tendencies which often draw unstable personalities into the shadowy world of secret intelligence.

As the American preoccupation with the situation in Vietnam deepened, he was sent in 1959 to



Saigon with the post of First Secretary to the American Embassy. For the next dozen years he was to be closely involved with the CIA's covert operations in Vietnam and Laos. He was chief of the agency's Far East Division in Washington, 1962-68, later going

back to Saigon with the personal rank of Ambassador. In this time he came to have an unrivalled knowledge of that theatre.

From 1968 he was in charge of the "programme of support" for the South Vietnamese Government's pacification programme, ostensibly providing roads and schools in areas supposedly liberated from the Vietcong. The programme also ran Phoenix, the operation devoted to the destruction of the Vietcong's underground organisation and the liquidation of its members. Colby appeared to have been rather good at this. At least, in testimony given in 1971 before the House Foreign Operations and Government Information Subcommittee he admitted that more than 20,000 Vietcong had been killed while he was in charge of Phoenix — considerably more than the number of casualties inflicted by the average infantry division during a tour of duty in Vietnam.

When asked by the same subcommittee how many of these deaths had occurred under torture, rather than in combat in the open field, he was somewhat more vague. Evidence also suggested that other unfortunate (and probably unimportant) victims were dropped from helicopters "poorly encased" in a "barrel". To the Senate Foreign Relations Committee Colby testified: "I would not want to testify that nobody was killed or executed in this kind of programme. I think it probably happened, unfortunately."

When, after such a career, Colby came to the helm of the CIA itself in 1973 it was with the reputation of a dedicated man, but not one who inhabited the wilder shores of fanaticism. Nor was he a flamboyant character in the manner of his predecessors, Dulles and Helms. The Congress investigations of the agency which were consequent on his policy of greater openness shook it, and were the cause of his premature resignation in 1976. He was succeeded by George Bush.

But Colby remained unrepentant about the course he had taken. Indeed, he denounced Congress for running what he called "TV spectacles" on the CIA's conduct of its affairs, arguing that they did little more than provide amusement for the idle, and shook the confidence of other friendly intelligence agencies in their American ally. The title of his memoirs, *Honorable Men: My Life in the CIA* (1978), summed up his attitude to the system to which he had devoted the bulk of his working life.

After his career with the CIA was over, he went into private legal practice and held a number of international consultancies. One of his most recent ventures was the creation of an espionage computer game with the Russian Oleg Kalugin, who was himself a former member of the Soviet KGB. Colby's first marriage, to Barbara Heinzen, ended in divorce. He is survived by his second wife Sally and by three sons and a daughter of his first marriage.

University news

Manchester

Appointments Professor Howard Barringer to be Pro Vice-Chancellor for three years from September 1, 1996. Professor B. T. Robinson to be Pro Vice-Chancellor for a further period of one year from September 1, 1996. Mr E A Mullin, at present Lecturer in Physics at Oxford University and Fellow of Lincoln College, to be in the Department of Physics and Astronomy from September 1, 1996. Mr D J Sanders, at present Lecturer in the School of Engineering, to be Professor of Industrial Control Engineering in the Manchester School of Engineering from March 12, 1996 to September 30, 1996. Mr J A Berke, at present Reader in History at this university, to be Professor of History in the Department of History from May 1, 1996. Mr P J Joyce, at present Reader in History at this university, to be Professor of History in the Department of History from May 1, 1996. Mr J A Berke, at present Reader in History at this university, to be Professor of History in the Department of History from May 1, 1996. Mr P J Joyce, at present Reader in History at this university, to be Professor of History in the Department of History from May 1, 1996. Mr J A Berke, at present Reader in History at this university, to be Professor of History in the Department of History from May 1, 1996. Mr P J Joyce, at present Reader in History at this university, to be Professor of History in the Department of History from May 1, 1996.

Honorary professional appointments

Mary Robinson, President of Ireland, to be Honorary Professor of Law from October 1, 1996, in recognition of the 50th anniversary of her present public office. Christopher Thomas Evans to be Honorary Professor of Music from April 1, 1996, during the continuance of his appointment as Principal of the Royal Northern College of Music. Robin M Davies to be Honorary Professor of Clinical Dental Research in the Department of Dental Medicine and Surgery for three years from May 1, 1996. Geoffrey P Davies to be Honorary Professor of Community Care in the Department of Psychiatry for three years from March 1, 1996. Professor of Strategic Costs Management in the Manchester Business School and in the Faculty of Business Administration for three years from January 1, 1996. David A Wood to be Honorary Visiting Professor of Microbial Biotechnology in the School of Biological Sciences for three years from September 1, 1995. Senior Lectureships The following lecturers to be senior lecturers in the subjects named, from October 1, 1996:

Dr M J Andrews, Economics; Dr R H Burch, Computer Science; Dr L C Beech, Biological Sciences in the Department of Medicine and the School of Biological Sciences; Dr John Brown, Psychology; Dr Isabel P Sraiman, Cell Biology in the Department of Cell Biology and Biochemistry; Dr Andrew Brass, Biochemistry in the School of Biological Sciences; Ms Marie Brown, Education; Mrs Penelope E Brown, Comparative Literary Studies in the Department of French Studies; Dr M P Burton, Agricultural Economics or Human, Arctic Language and Literature in the Department of Middle Eastern Studies; Dr William Croft, Linguistics; Dr M C De Beer, Biblical Studies in the Department of Religion and Theology; Dr R E Evans, Ecology in the Department of Biological Sciences; Dr J Janning, Music; Ms Margaret O Foster, Social Policy in the Department of Social Policy and Social Work; Ms Vivien A Gardner, Orama; or P Gize Geology in the Department of Earth Sciences; Dr P M Gleason, Sociology; Dr Helen F Gleason, Physics; or M A Harrison, Primary Education; Mr P Jones, Ophthalmology; or Stephen Kay, Computer Science; or Peter Lloyd, Psychology; or C A Leach, Materials Science; or Rosanne McNamee, Medical Statistics in the Department of Epidemiology and Health Sciences; or P J Morris, Sociology; or J Morris, Medical Virology in the Department of Pathological Sciences; Dr Rosemary Morris, History; or Joseph Muller,

WINDJAMMERS

TWENTY RIVALS IN FULL SAIL From A. J. Villiers Aboard Ship PARMA, Port Broughton, March 17

One of a fleet of 20 deep-water Cape Horn sailing-ships, the four-masted barque Parma is lying in the roads here loaded and ready for sea, waiting only for the first fair wind — a wind which will take her strongest rival and former consort Pamir to sea from the nearby port of Wallaroo. The four-masted barques C. B. Pedersen and Melbourne are loaded at Port Victoria, on the other side of Spencer Gulf, and should also sail on the same day. These ships are a section of the grain "racing" fleet of big sailing-ships which annually carry South Australian grain from Spencer Gulf outports to Falmouth at Queenstown for orders, and it is probable that this year's fleet will be the largest known since the boom years which followed the end of the War. While it is certain that some grain will be carried in square-rigged sail survives, it is unlikely that so many ships will again be in the trade at the same time. The ships, for the most part, sail out to Australia from Europe in ballast, making for

ON THIS DAY

May 7, 1932

Alon Villiers (1903-1982) was a marine author of considerable merit. For a period after the war he was Master of Outward Bound Sea School, Aberdeen

ships sail uninsured. The Swedish ships are subsidised and carry insurance, but the Finns receive no support from their Government. The principal costs of a sailing-ship are in port and because she needs no bunkers she ordinarily uses only two ports — that where she loads and that in which she is ordered to discharge. The tramp steamer must call at several ports to make a long voyage, and even the oil-burner is at a disadvantage. At sea the sailing-ship consumes nothing. She has no need to hurry, unless her master is keen to make a fast passage. Many of the ships could not hurry no matter how necessary it was for them. The combination of big carrier and good sailor is rare; the ships have to be big carriers or they cannot be operated. Some of the vessels, in order to augment their earnings, have been carrying passengers at a charge of 10s. a day. Unless the passengers were carefully chosen and knew exactly what they were embarking on, it is difficult to see how this could be made a success. The world is full of persons who dream faintly of the Cape Horn voyages in sail, but the number who, as passengers, would actually enjoy such a thing (or even suffer it with good temper) is not large. Nor is the passenger always welcome. The very terms "passenger" and "sailing-ship" have, to the sailor's mind, little in common.

NEWS

Russia accuses Britain of spying

Russia and Britain were locked last night in the worst espionage row since the end of the Cold War after the Russians accused the British Embassy of running a spy ring and said that they would expel several diplomats.

The Russian Deputy Foreign Minister summoned Sir Andrew Wood, the British Ambassador, to protest at the activities of his staff after a Russian citizen was arrested making contact with British intelligence.

Action on school reading

John Major has ordered tough new powers to help school inspectors to raise standards in the three Rs after a damning report by the school inspection agency on children's literacy in the inner city showed that four out of five seven-year-olds were reading below the average for their age.

Benefits warning

Gordon Brown warned Labour critics that he was standing by his plans to scrap child benefit for older children and told them that they could not avoid "tough choices".

Frozen exhibits

Britain's remotest museum, where the star exhibits include tins of pelican meat and a 1940s radio transmitter, has opened to visitors. It is at Port Lockroy, in Antarctica.

Runaway girls sought

The police searched for two teenage girls who have not been seen since they ran away from their boarding school a week ago. Kirsty Ann Boyd and Aileen McChie are both 15.

Golden sands again

Pembrokeshire's jobsless have all but cleansed their shores of the 76,000 tonnes of light crude oil shed by the tanker Sea Empress. They have saved the tourist industry.

More flak for Major

John Major faced a new threat as Euro-rebels prepared to use a Commons debate on the common agricultural policy to attack the Government's handling of the BSE crisis.

Closed trials fear

Criminal trials are increasingly at risk of being held in camera or under the cloak of anonymity under the Security Service Bill now going through Parliament, lawyers believe.

Boys hurt in game

Two schoolboys were critically injured after hurtling down a 350ft culvert on a makeshift toboggan. One of them got his head jammed in a gap in a wall.

Election saboteurs

Palestinian and Israeli forces hunted two suspected Islamic suicide bombers who are believed to be on a mission to disrupt Israel's general election.

Police damages

The Court of Appeal is to be asked to set guidelines for juries on the level of damages awarded against the police after recent cases reached six figures.

Yeltsin poll pledge

President Yeltsin reassured Russians that June's elections will be held as planned despite his security chief calling for them to be postponed.

Potency pill

A pill to boost the sexual performance of flagging males could be on the market in two years. Sildenafil is the first treatment for impotence in a pill.

Gibraltar threat

Spain's new Foreign Minister, Abel Matutes, said he "did not rule out" a return to a closed border between mainland Spain and Gibraltar.

No more Cornettos

The Venetian gondola singer-accordionists have been classified as musical entertainers, so until they contribute to their union's pension fund they have been banned from performing. Many are elderly and fear that paying up may jeopardise their state pensions.



The annual three-day canalway cavalcade at Little Venice, west London, was attended by more than 130 craft yesterday

BUSINESS

Price cuts: British Gas faces a show-down with its regulator over a price cap package which would require cuts in gas prices of 8 per cent from next spring.

SPORTS

Snooker: Only a remarkable collapse stood between Stephen Hendry and victory in the Embassy world championship as he established a 14-10 lead over Peter Ebdon in the final.

ARTS

Brick man returns: Richard Cork says that a retrospective in Oxford reveals Carl Andre, perpetrator of the "Tate bricks", to be "not a charlatan but a sculptor of exemplary seriousness".

FEATURES

Why can't our children read? Day one of a two-part special. Have teaching methods deteriorated, or have our expectations risen? The methods schools use, and how parents can help.

FOOTBALL

Football: Eric Cantona, in his first interview for more than a year, said his clash with Matthew Simmons and subsequent ban had taught him a lesson.

RUGBY

Rugby union: The Rugby Football Union is to investigate the incident at the end of the Pilkington Cup final in which Neil Back pushed the referee.

THEATRE

Half-hearted Nelson: Willie Nelson's famed charm was wearing a bit thin at the Albert Hall, where he sauntered lazily through his back-catalogue.

LAW

On trial: Dusko Tadic is accused of some of the worst atrocities in Bosnia. His trial in The Hague will test the war crimes tribunal.

RESCUE

Rescue bid: The years of trauma and misery at Lloyd's, the London insurance market, could be coming to a close.

CRICKET

Cheep break: With 3.5 million summer holidays still unsold this year, the travel trade is waiting to see whether last year's pattern of low prices and tumbling profits will be repeated.

HARRY

Harry danced: As the climax to the South Bank's festival of Sir Harrison Birtwistle's music, Richard Alston choreographed several of his works.

HIT AND MYTH

Hit and myth: Graham Duff from the Crown Prosecution Service hits back at last week's criticism of the CPS.

CHEAP

Hot tickets: Seamus Heaney reading his own poetry, Sir Peter Hall's new Feydeau staging and a flamenco version of Carmen are our critics' recommendations.

THE PAPERS

Neither etiquette nor friendship has compelled the premature opening of the gates of the Bourbon Palace to this doubtful democrat.

TOMORROW

IN THE TIMES

PROPERTY: Ideal interiors: Rachel Kelly on Jocasta Innes's book The Thrifty Decorator

INTERFACE: In our new-tech guide: coping with summer drought, plus win a tele-office worth £4,000

THE WALL STREET JOURNAL

Police conduct; Britain and Europe; reform of Lords; English wine; Tasmania's past



THE TIMES CROSSWORD NO 20,161

Crossword puzzle grid with numbers indicating starting positions for words.

- ACROSS: 1 Weapon given to spy chief by a warmonger (8). 5 Understood this Roman style of architecture (6). 9 Having no complaints, fuss? That's rich! (4-2-2). 10 Win a posh vehicle (6). 12 Oral examination in foreign language (5). 13 Resolve to reform one president or another (9). 14 Rude in dance club, you said? Sure to get thrown out (12). 18 Various coteries unite in mysterious fashion (12). 21 Sunday lunch for small piggish individual (5-4). 23 Quick - a cartoonist hasn't finished (5).

Solution to Puzzle No 20,160 showing filled-in crossword letters.

WEATHER

Table with weather forecasts for various regions like Greater London, West Surrey, Dorset, etc.

AA ROADWATCH

Table with roadworks information for various roads like London & SE, M25, etc.

HIGHEST & LOWEST

Table with temperature records for various locations like Southampton, Exeter, etc.

FORECAST

General: England and Wales will be largely dry with good clear or sunny spells. Southemmost counties will be rather cloudy, and the cloud may be thick enough to give a few spots of rain, but this will most likely be confined to the Channel Islands.

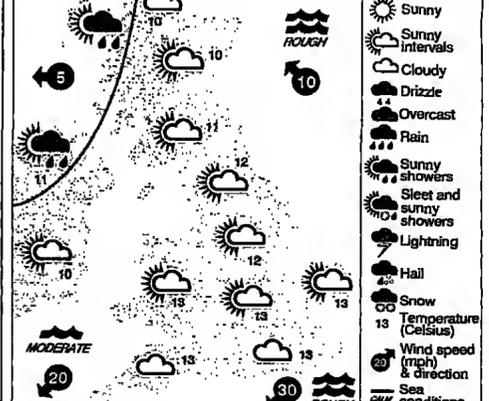
AROUND BRITAIN YESTERDAY

Table with weather data for various cities like Aberdeen, Glasgow, London, etc.

ABROAD

Table with weather data for various international locations like Alicante, Athens, Beijing, etc.

NOON TODAY



HIGH TIDES

Table with high tide times for various locations like London Bridge, Aberdeen, etc.

HOURS OF DARKNESS

Table with sunrise and sunset times for various locations like London, Bristol, etc.

Large vertical advertisement on the right side of the page, featuring a portrait of a man and text including 'Payments roll in', 'Heath MPs do', 'earning', and 'Yard susp'.

Handwritten Arabic text: هكذا من الأصل